



479

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Accept report on Food Cartology 2021: Recovery in Central City

Report

This report, presented to Council by Friends of Green Loop and Portland State University Masters in Urban Planning students, provides an assessment of current urban planning policies and practices governing food cart operation in the City of Portland. The Ankeny West food cart pod, a public-private partnership currently underway between the City of Portland and Friends of Green Loop, is utilized as a case study. This report is an update to the original PSU Food Cartology study completed in 2008.

Documents and Exhibits

[clean draft food-cartology-5 31-002.pdf](#) (468.03 Kb)

Impact Statement

[food-cartology-6.23.21-impact-statement 0.docx](#) (22.82 Kb)

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FOOD CARTOLOGY 2021: RECOVERY IN CENTRAL CITY

*Analysis & Recommendations For Revitalizing the
Central City Economy & Beyond*

PREPARED FOR:
FRIENDS OF GREEN LOOP

PREPARED BY:
EVERGREEN COMMUNITY PLANNING

DATE:
JUNE 2021
(DRAFT REPORT - MAY 31, 2021)

TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
PROJECT OVERVIEW	4
Overview	4
Purpose	4
Challenge	5
Opportunity	5
Background	5
Findings from 2008 Report	5
Orientation of 2021 Report	7
Equity Lens	8
Table 1 - Equity Implications	8
Methodology	10
Overview	10
Defining Key Terms	11
Background Research	13
Community Engagement Methods	14
EXISTING CONDITIONS	14
Historical Context	14
Timeline Overview	14
Early History	15
2008 Recession	15
Current Context	16
COVID-19	16
Downtown Development	17
Current Portland Policies	18
Flowchart	18
Policy Summary	19
Site Requirements	19
Health & Safety Requirements	20
Regional Comparison	21
ENGAGEMENT	22
Engagement Overview & Strategy	22
Equity Considerations	22
Key Engagement Takeaways	23
Engagement: Community Organizations	25
Food Carts Celebrate Cultural Diversity	26
Challenges of Portland City Government	27
Paradox of Accessibility	28

Engagement: Food Cart Owners	29
Food Carts as a Way to Share Culture	30
Food Carts as the Key to Autonomy	31
Difficulties of the Early Scene	31
The Magic of the Downtown Alder Pod & the Devastation of Development	32
“Resources? Like What?”	33
Engagement: Public Agencies	34
Food Carts as positive influences on community development	36
Lack of consensus of how to incorporate food carts into public spaces	36
Cross-bureau collaboration is slow, and can be tense	38
Regulating food carts is REALLY complicated	39
Survey Engagement	40
Identified Themes	40
POLICY ANALYSIS	41
Case Studies	41
Key Findings & Potential Best Practices	43
Seattle - Unfriendly	43
Boston - UnFriendly	45
New York City - Friendly	47
Denver - Friendly	49
Core Recommendations for Policy Makers	50
Core recommendation #1:	51
Core recommendation #2:	52
Additional Recommendations for Policy Makers	53
Implement and evaluate pilot projects for integration of food cart pods in public space.	56
CONCLUSION	56
Limitations & Challenges	56
Equity Limitations:	56
Research Limitations:	57
Further Opportunities for Study	57
Healthy Business Permits as a template for testing carts in similar spaces	57
Non-profit organizations as operators of public cart spaces	57
Programs to subsidize people of color and immigrant cart start-ups	58
Ankeny West and Friends of Green Loop	58
Concluding Remarks	58
APPENDIX	59
List of Appendices	59

EXECUTIVE SUMMARY

Evergreen Community Planning (ECP), a PSU MURP student workshop group, partnered with Friends of Green Loop (FOGL) and City of Portland's Bureau of Planning and Sustainability (BPS) to conduct a study on the status of the food cart industry in Portland, with a focus on factors contributing to economic resilience in the face of the COVID-19 pandemic and other changes to the city's landscape, as well as barriers to accessibility within the industry for individual vendors. Friends of Green Loop intended this study to be an update to the 2008 MURP workshop Food Cartology, which explored the recent emergence of the food cart industry in Portland and served as a key business model for recovering from the concurrent recession. ECP conducted an existing conditions analysis, policy review, case studies, and an expansive community engagement process to explore food carts as they exist in Portland today, with the intention of understanding barriers for historically marginalized groups, as well as exploring the potential for adding food carts into the public right-of-way. ECP conducted interviews with community organizations, food cart vendors, and public agency officials to gather input from a wealth of different sources.

The results of these interviews indicated that while food carts are celebrated within the city for their placemaking qualities and displays of cultural diversity, vendors often do not have the personal, public, or community resources to easily start their businesses, be successful and respond to threats of displacement. This report addresses this disparity by examining the existing policies and regulations surrounding food carts and identifying strategies that City agencies could adopt to better support this industry. Key recommendations outline details pertaining to the need for better cross-bureau collaboration and plans to mitigate displacement impacts.

ECP outlines their methodology, research, engagement themes, and subsequent recommendations in this document.

PROJECT OVERVIEW

Overview

Purpose

The Food Cartology 2021: Recovery in the Central City report was commissioned by Keith Jones, the Executive Director of the Friends of Green Loop (FOGL). This community-based organization promotes and advocates for the development of the Green Loop, a six-mile linear park around downtown Portland which emphasizes placemaking, increasing access to destinations within the Central City and economic development. The report explores the role of food carts in the Central City, specifically along the Green Loop. It explores how food carts can be better supported and embraced by the City and other stakeholders to support a thriving downtown. As the City of Portland undertakes recovery activities following the devastating effects of the global pandemic, the timing of this report is significant. Small businesses, such as

food carts, are poised to play a key role in the rebuilding process. During the challenges of the 2008-2009 recession, food carts were observed to be strong businesses in weathering the economic downturn and later stimulating the economy during recovery. They appear to be similarly situated to reprise this role following the global pandemic of 2020-2021.

In addition to supporting the activities of the Friends of Green Loop, this report is also designed to be referenced by public agencies. The report was commissioned by Friends of Green Loop in collaboration with Portland Bureau of Planning and Sustainability (BPS). The information and insights gathered through engagement with community and agency representatives, along with general policy analysis, generated actionable recommendations on ways to incorporate food carts into Portland planning by public agencies. Already, the popularity of food carts has led to their inclusion in city marketing efforts, as seen on Travel Oregon's website¹, and in city planning initiatives. For example, food carts are an especially important planning feature of the Green Loop through the Central City. The Green Loop was included in the 2035 Central City Comprehensive Plan as a key amenity, noting the role it had in drawing people downtown².

Challenge

Today, despite widespread support, food cart owners still face challenges to starting and maintaining their businesses in the Central City. First, there has been an increase in downtown developments which has displaced food carts from private parking lots where they have traditionally operated their businesses. This has been a longstanding issue with over half of food cart owners noting that finding a spot for their business is a key challenge³. Second, there has been a significant loss of foot traffic in the Central City due to the COVID-19 pandemic response which has resulted in a substantial loss of profit for these businesses who rely on downtown workers, students, and tourists for their sales. Additionally, recent political and civil demonstrations in Portland have changed public perceptions of the downtown area further reducing incentives for potential customers to visit.

Opportunity

The combination of these challenges presented by development displacement and the pandemic reveal the need for a strong, coordinated, and collaborative approach between food cart owners, the City, and other stakeholders in order to sustain the food cart industry and leverage the unique role it plays in the city's downtown economy. This presented the opportunity for Friends of Green Loop and Evergreen Community Planning (ECP) to work together to identify the key needs of food cart owners, explore how to intentionally bring them into recovery and long-term planning, assess current policies and procedures for food cart permitting, and focus on supporting immigrant and people of color communities who make up a large share of vendors in this sector.

¹ Anderson, Jen (2019). Food Carts 101. Accessed February 20, 2021. Travel Oregon (2021). <https://traveloregon.com/things-to-do/eat-drink/restaurants/food-carts-101/>

² Bureau of Planning and Sustainability (2018). Central City 2035 - Implementation: the Green Loop (Volume 5B). City of Portland Oregon. pg. 4.

³ Urban Vitality Group (2008). Food Cartology: Rethinking Urban Spaces as People Places. Portland State University. pg. 32.

Background

Findings from 2008 Report

In 2008, while food carts were gaining popularity in Portland, the City was entering the uncharted territory of regulating this new industry and making informed policy decisions. The Bureau of Planning partnered with PSU Master of Urban and Regional Planning (MURP) students (“Urban Vitality Group”) to better understand how food carts operated, who was operating them, and how food carts were impacting their local street locations and larger neighborhoods. The Bureau was also interested in how food carts served as a low-barrier business opportunity for low-income and immigrant residents. The Urban Vitality Group set out to specifically answer questions about neighborhood livability (“What effects do food carts have on street vitality and neighborhood life?”) and community economic development (“To what extent do food carts serve as an entry-point into long-term business ownership?”).⁴

The Urban Vitality Group (UVG) reviewed relevant literature, collected data, and gathered stakeholder input for their report, *Food Cartology: Rethinking Urban Spaces as People Spaces*. They began with an exploration of the history of food carts and continued to review relevant literature about the operation and regulation of mobile food courts more widely. They conducted site and cart inventories at four different food cart pod locations throughout Portland, and created maps of actively used food carts generally. Their engagement processes included vendor surveys, an online survey for general public perception, public intercept surveys (pedestrians near selected food cart pod sites), and neighborhood business surveys.⁵ They also conducted in-depth interviews with some cart owners as well as other key stakeholders, such as City of Portland and Multnomah County employees who are involved in the food cart permitting process.

Through this process, UVG compiled several key findings, including:

- *Food carts have positive impacts on street vitality and neighborhood life in lower density residential neighborhoods as well as in the high-density downtown area.*⁶
- *When a cluster of carts is located on a private site, the heightened intensity of use can negatively impact the surrounding community, primarily from the lack of trash cans.*⁷
- *Food carts represent beneficial employment opportunities because they provide an improved quality of life and promote social interactions between owners and customers.*⁸
- *Despite the beneficial opportunities that food carts can provide, there are numerous challenges to owning a food cart.*⁹

⁴ Urban Vitality Group (2008). *Food Cartology: Rethinking Urban Spaces as People Places*. Portland State University. pg. 4.

⁵ Urban Vitality Group (2008). *Food Cartology: Rethinking Urban Spaces as People Places*. Portland State University. pg. 24.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

- *Food cart owners do not frequently access small business development resources available to them, such as bank loans and other forms of assistance.*¹⁰

Their primary recommendations, based on these findings, were to identify additional locations for food carts, increase awareness of informational resources for stakeholders in the food cart industry by connecting them with existing programs, and promote innovative urban design elements that support place-making centered around food cart pods. Friends of Green Loop have stated that the 2008 Food Cartology report has been incredibly useful for their advocacy work and for lobbying Portland's public agencies to make the Central City a safe and reliable place for food carts to exist.

Orientation of 2021 Report

Friends of Green Loop and Portland Bureau of Planning and Sustainability approached Evergreen Community Planning to gather information and stories from food cart owners about the challenges and opportunities of owning and operating a food cart in Portland's Central City and build on the findings of the 2008 study highlighted above. This report is a follow-up to the initial report with a focus on Downtown Portland. Specific interest is taken in evaluating the long-term sustainability of food carts as small businesses and how to assist them in recovery following development displacements and loss-of-revenue throughout the pandemic. Where the 2008 study was focused on gathering an understanding of how food carts fit into Portland's economic vitality, the 2021 update looks to see how the changes to downtown through increasing development and the impact of the pandemic has affected food cart owners. Based on these factors and insights gained through stakeholder interviews, this report compiled policy recommendations on how Portland's planning agencies can begin to include food carts into their planning efforts.

While the 2008 study revealed that there is a much lower financial barrier to entry for entrepreneurs (especially for people of color and immigrant populations) to open a food cart rather than a brick-and-mortar storefront, there are a number of other factors that can hinder the success of these small businesses. For one, current City regulations make it difficult for a food cart to operate on public land or in the city's right-of-way. This relegates food cart owners to privately owned lots that can operate with limited oversight and regulation of the food cart's space, which was the area of focus for the 2008 study. The stability of food carts downtown was shown to be dependent on the profitability of downtown development as most food cart pods exist on undeveloped parcels and surface parking lots¹⁵. When market conditions change and parcels are developed, there are few locations downtown for food carts to be relocated.

This report focuses on identifying existing barriers to entry for prospective entrepreneurs, limits to transitioning from a cart to a brick-and-mortar restaurant, policy barriers for food carts in the right-of-way or on public property, and how to include food carts in existing and future planning efforts by the City of Portland. ECP pursued these desired outcomes by analyzing the existing materials compiled by Friends of Green Loop for advocating to public agencies in Portland and supplemented this research with preferred alternatives and case studies to make

¹⁰ Ibid.

recommendations on how to integrate food carts into land-use planning efforts in Portland's Central City. Additionally, engagement with multiple groups of stakeholders helped to frame and contextualize the findings and explore their perspectives and recommendations. This report includes an existing conditions analysis, case studies, outreach to city agencies and food cart owners, and policy research and analysis. These components have allowed ECP to make recommendations to Friends of Green Loop and the Bureau of Planning and Sustainability on ways to improve the regulatory landscape for food carts in the City of Portland.

Equity Lens

The Food Cartology report from 2008 found that many food carts are immigrant-owned, with more than half of the respondents at the time noting that they had been born outside of the United States.¹¹ Although a more recent demographic survey of food cart owners has yet to be conducted, numerous news articles continue to note the high share of immigrants that continue to work in the sector, and are thus disproportionately impacted by developments that displace their businesses.¹² Furthermore, throughout this project's engagement process with different stakeholder groups, numerous respondents highlighted the diversity of demographics represented in the food cart sector.

ECP is committed to approaching this project with an equity lens by intentionally addressing equity considerations through each phase of the project. ECP understands the approach of leading with an equity lens to be the process of uncovering both historical and present injustices, while actively pursuing policies and practices that work to redress disparate outcomes on the basis of race, sex, gender, income, disabilities, language, country of origin and more with particular consideration given to the intersectionality of these identities which have often further exacerbated oppression and/or discrimination.¹³

Before beginning the project, ECP worked to identify potential areas of inequities and developed the foundation from which to launch the project across four pillars of equity. Then, as the work plan was finalized, each phase of the project was discussed to examine how these elements could be incorporated into leading and implementing the project from an equity standpoint.

Table 1 - Equity Implications

- **Structural Equity:** *examines historic advantages and disadvantages for specific communities*
 - The research portion of this project worked to uncover how food cart owners may have faced discrimination in running their businesses. Specific focus was given to the potential barriers that they may have faced in accessing and completing City requirements to acquire permits and licenses. Additional focus was given to food

¹¹ Urban Vitality Group (2008). Food Cartology: Rethinking Urban Spaces as People Places. Portland State University. pg. 30.

¹² Seibel, Brendan (2019). *Can Portland's Food Carts Survive the City's Development Boom*. Eater PDX. Published July 23, 2019. Accessed February 20, 2021. <https://www.eater.com/2019/7/23/20707114/portland-food-carts-disappearing-development-boom>

¹³ Equity in Planning (2015). *City of Baltimore - Department of Planning*. Accessed February 20, 2021. <https://planning.baltimorecity.gov/Equity#Defining%20Equity>

cart collaboration to determine if they have been afforded the opportunity to work collectively to better advocate for their needs, especially immigrant and people of color operators. ECP also examined how security and safety around food cart pods have impacted these communities.

- **Procedural Equity:** *examines how to include historically excluded residents in the planning, implementation and evaluation of the project*
 - ECP realizes that Portland food cart owners represent a wide range of individuals and worked to reach as many as possible through interviews during the engagement phase in order to ensure diverse perspectives were incorporated into the needs assessment and recommendations. Specific focus was given to ensure that people of color, immigrant, and women-owned business owners were interviewed. A key area of discussion revolved around how the City communicated with these business owners.
- **Distributional Equity:** *examines how the distribution of civic resources and investment explicitly account for potential racially disparate outcomes*
 - The 2008 study noted that most food cart owners did not access City or other external resources to help them start their business.¹⁴ Through background research and engagement with different stakeholder groups, ECP explored why these resources have not been accessed. The report provides recommendations on potential ways to bridge the gap between available resources and the food cart owners, especially as lack of awareness and communication seemed to be a driving factor.
- **Transgenerational Equity:** *examines if the policy or project will result in unfair burdens on future generations*
 - Although 66% of food cart owners (and 77% in downtown) noted that their food cart business was a good way to support themselves, only a small percentage had funds saved for an emergency. Over half responded that lack of money was the main barrier to expanding their business. Additionally, independence was cited as a main motivation for running a food cart business and many were family-owned businesses.¹⁵ Therefore, ECP worked to identify policies and recommendations that respond to the long-term needs of food cart owners in order to create an environment where they can remain economically viable, have protections against displacement, and remain autonomous, especially for immigrant, people of color, and women entrepreneurs who see their food cart as an opportunity to establish independence and provide for their family.

**More information about how these dimensions were addressed in the planning phase can be found in the MOU & Work Plan attached to this report as an appendix.*

During the background research phase, it was noted that research would try to be centered around how policies and procedures have possibly created barriers for immigrants, limited English proficiency, women and people of color entrepreneurs from successfully starting and

¹⁴ Urban Vitality Group (2008). Food Cartology: Rethinking Urban Spaces as People Places. Portland State University. pg. 34.

¹⁵ Urban Vitality Group (2008). Food Cartology: Rethinking Urban Spaces as People Places. Portland State University. pg. 33.

running their business. However, due to the relatively recent emergence of this industry in Portland as a legitimate business, there are few reports, articles, or explicit policies available to highlight potential discriminations or inequities for these groups. Additionally, the case studies attempted to explore cities that had shared characteristics with Portland, and were focused on marginalized entrepreneurs. Again, there was a distinct lack of literature that specifically addressed the experiences of these communities and their work in the mobile food unit industry, suggesting that they have likely often been overlooked and their stories not told. Due to the time constraints tied to this project, ECP was not able to pursue further research, but an area of consideration for future reports or further exploration would be to look into studies that discuss either the food sector more generally, or micro-businesses more specifically, and explore the experiences of these often-marginalized communities in those industries and determine how findings there might be similarly extrapolated to be applied to food carts.

ECP addressed the gaps in literature around people of color, immigrants, non-English speaking, and women entrepreneurs through intentional engagement strategies, particularly with food cart owners. The majority of food cart owners engaged in the interview process identified with at least one, if not several, of these communities which allowed ECP to get a glimpse into the experiences faced by food cart owners. During engagement with Community Organizations (non-food cart owners and non-public agencies), ECP also worked to be intentional in gathering the perspectives from a broad range of stakeholders. These included neighborhood associations, pod managers, food associations, tourism agencies, and other community-based nonprofits. The information gathered during these interviews helped to shine light on the challenges faced by food carts in general, and how these barriers can be exacerbated for individuals who identify with a traditionally marginalized community.

When engaging bureaus, a key aspect of equity that was discussed was the idea behind transgenerational equity, and how contemporary decisions being made could have unintended consequences down the road. Respondents from several of the public agencies noted that they did not want to rush into decisions, such as hosting food cart pods on public property, as it may result in a burden on these agencies when the pod operator pulls out or transitions to a different entity. There was also an emphasis on ensuring that food cart owners were not taken advantage of by being placed in unviable locations, promised long-term solutions but given short-term compromises, or not being able to access sufficient support in operating their business.

“There is often a focus on the near term vision of just ‘getting people in’ that we miss some of the longer term impacts. City bureaus are thinking on a 30-year cycle, and businesses are operating on a 5-year cycle.” - Lisa Abuaf, Director of Development at Prosper Portland.

In light of these elements exposed during each phase of the project, ECP emphasized specific findings in each section of the report and how it relates to the project from an equity perspective. This approach helps to tie a unifying thread through the whole project, connecting the case studies to the engagement to the recommendations. As this report is heavily centered around developing actionable policy recommendations that can be pursued by the city and other

stakeholders, ensuring that they were equitable approaches was paramount for ECP during compilation.

Methodology

Overview

Beginning this project in the midst of the global COVID-19 pandemic created unique circumstances for Evergreen Community Planning. The ECP team had to determine how best to conduct the project while many food carts were not actively operating, city bureau staff were not at their offices, and the downtown area had become largely dormant. Despite these challenges, it was still essential to gather useful information and produce recommendations that could steer responses to addressing the challenges of site displacement and pandemic impacts faced by food cart owners. Therefore, the decision was made to approach the project with a focus primarily on the policy and regulatory aspects surrounding food carts rather than visiting and evaluating specific physical spaces or pods. This approach allowed ECP to prioritize engagement with relevant stakeholders and robust research as both aspects were able to be largely completed remotely.

The ECP team divided the project into five project phases that spanned a six-month period from January to June 2021. The first phase involved laying the groundwork for all the activities to come, and required a dialogue between ECP and the client to determine the focus of the project and to clarify the expectations around the final deliverables (with input and guidance from course professors Dr. Megan Horst and Irene Kim). The bulk of the project activities were found in the second and third phases which involved gathering background research and community engagement, respectively. The fourth phase involved compiling and analyzing the findings gathered in earlier stages to determine what recommendations could be made. Finally, the fifth phase was focused on synthesizing all the gathered content and conclusions into a technical report (this document) and preparing several presentations to share with different stakeholder groups. More information regarding the timeline and work plan used to guide this project can be found in the MOU and Work Plan appendix attached to this report.

Defining Key Terms

The mobile food industry spans a number of different types of vending units and, due to the technical nature of policies and permitting, can become quite complex. Therefore, this section is meant to assist in clarifying some key terms and how they are understood by ECP in the context of this report.

- **Mobile Food Units:** This is an all-encompassing term to address food vending from non-permanent structures, including push carts, food trucks, food trailers, and food carts. All types of Mobile Food Units fall under the purview of Multnomah County Health Department which regulates businesses that prepare and sell food commodities.
- **Food Trucks:** These are food vending units that are licensed, motorized vehicles that are completely self-contained meaning that the supplies necessary to produce food (i.e. propane for fuel, water, waste water, etc.) are all within the vehicle with no external

connections required. They also generally rely on a commissary kitchen to pre-prepare much of their food and dispose of waste and greywater. In Portland, Food Trucks are not permitted to operate freely in the Central City and as a result are not very present throughout the urban area. Although Food Trucks can be easily brought into an area, there can be more permitting requirements as they cross the city boundaries throughout a metro area.

- **Push Carts:** These are non-motorized stands that are on wheels and so can be moved around and generally occupy the right-of-way, such as the sidewalk. Like Food Trucks, Push Carts generally need access to a commissary kitchen to prepare their food products and dispose of waste and must be able to be self-contained. In Portland, these are permitted under Portland Bureau of Transportation, although are required to operate in very precise places within specific timeframes and are not able to remain overnight at any location. Push Carts also fall under the purview of the Bureau of Development Services as they operate in public spaces and must adhere to strict design criteria.
- **Food Carts:** These are non-motorized, semi-permanent trailers, but must have functional wheels, an axle for towing, and be located in a commercial zone, so as to still be considered a vehicle and not have to adhere to zoning or building regulations - if the wheels are removed, the cart is considered to be a building. Generally the carts operate on private properties, such as parking lots, but must still obtain permits for electricity and plumbing if connected to main hook-ups. Most carts connect to electrical circuits, but use internal tank systems to collect waste water. Although technically mobile, these food units tend to remain in one location for an extended period of time, often several years. In Portland, these have become the primary type of mobile food unit as compared to Food Trucks or Push Carts, likely because of fewer regulations surrounding their use and design as they have historically operated on private property rather than directly in public spaces such as the road, parking spots, or the sidewalk. At the time of this report, there were an estimated 458 carts, although with the pandemic it was difficult to determine how many were actively in operation.
- **Pods:** In the Portland metro context, pods refer to a cluster or group of food carts operating together in close proximity on the same lot. These are generally privately owned lots or parcels that lease out the space to food carts to rent and then provide some amenities such as waste and water disposal and electricity. By grouping together, the food carts are able to employ place-making strategies, making the lot a destination that individuals choose to visit. At the time of this report, there were an estimated 49 pods throughout the city, although new ones were appearing regularly even in the short time span of this study.
- **Right-of-Way (ROW):** This is the space of land reserved for transportation use which can range from paths or sidewalks for pedestrian and bike use, to roads, railroads, or even waterways for vehicle use. For the context of this project, ROW is used to refer to roads, streets, paths, and sidewalks not on private property.
- **Public Space:** Public space is broader than right-of-way as it includes all public spaces where life happens, not only roads and paths. This includes shared spaces such as parks, public plazas, walkways, bike lanes, streets, and curbs as well as temporary closed streets. For food vendors to operate in these spaces, they need permits approved

by the managing city bureau and generally cannot take up a position that blocks the right-of-way.

- **Commissary Kitchen:** Due to the limited space available in any type of mobile food unit, many vendors turn to commissary kitchens to prepare, store, and clean their food products. These are commercial kitchens that are leased out for food preparation, allowing the vendor to have more space, connection to utilities, and reduce costs by not requiring them to own their own kitchen. For some types of mobile food units, such as carts and trucks, there are regulations stipulating the use of commissary kitchens due to the mobile nature of their unit. Food carts are generally a bit larger, and by being semi-permanent are able to connect to utilities and not have to rely on commissary kitchens to prepare their food items.
- **Greywater:** This is the liquid waste created by food preparation usually generated from washing items such as fruits, vegetables, pots, pans and utensils. As there is often cleaning products and grease mixed in with this water from the kitchen, it cannot be dumped on the ground or into the street drains but must be either disposed through a connection to a sewer hook-up, or collected in a bin and disposed of elsewhere.
- **Wastewater:** This is liquid waste that may have any kind of human waste in it. Water discharge from food carts is considered wastewater if any handwashing is happening within the cart. Even though there is no bathroom in the cart, because vendors are expected to be washing their hands in the cart, the discharge is considered wastewater and requires a sewer hook-up or a licensed wastewater hauler.
- **Central City & Downtown:** This refers to the urban center of Portland, where population is the densest. There are 10 subdistricts, or neighborhoods, within the Central City of Portland, and Downtown is one of these, which is the area bordered by Burnside Street to the North, by the 405 Highway to the West and South, and the waterfront to the East. *Map Insert:* <https://www.portland.gov/bps/cc2035/about-cc2035-plan>
- **Portland Government:** Portland is one of the few large cities in the United States that has a Commission form of government. This means that there are 6 elected officials (Mayor, 4 Commissioners, and the Auditor) who oversee the different city bureaus, budgets and hold a quasi-judicial role for land-use appeals.¹⁶

Background Research

To frame the project, ECP chose to pursue two avenues of background research. For the first avenue, contextualization of the project was important to understand research that had been done before, as well as the history of food carts in Portland. Since this report was commissioned as an updated study to the 2008 Food Cartology Study, it was first necessary to thoroughly unpack this report and determine what the research had already concluded to allow ECP to design implementation tools which build off existing findings. Additionally, to understand how policies and regulations had come to impact mobile food units, it was useful to build out a timeline of mobile food units in Portland and the significant events that occurred and how they impact the trajectory of these businesses.

¹⁶ City Government Structure: Portland (2021). <https://www.portlandoregon.gov/auditor/article/9178>

The second avenue of background research was examining policies and regulations that pertained to mobile food units. One approach was to examine public city documents that outlined the requirements for obtaining permits to operate a mobile food unit. There are several bureaus involved in this type of oversight in Portland, although the primary agency is the Multnomah County Health Department which regulates and distributes health permits for businesses that prepare and sell food. This policy analysis was complemented by a secondary approach which looked at research outside of the Portland metro area through the use of case studies.

Community Engagement Methods

The community engagement portion of this project took place between late February and early May. During this time, ECP worked to engage three different stakeholder groups: Community Organizations, Food Cart Owners, and Public Agencies.

Interviews were conducted virtually via Zoom, or through direct phone calls, and were facilitated by two team members from ECP - one who oriented the discussion and asked questions while the other took notes. The timing of the interviews ranged between thirty and sixty minutes and were structured around a pre-established set of questions as prompts (*Appendix, pg. 74*), although ECP was flexible to follow the conversation to focus on the most relevant questions or aspects. ECP contacted interviewees via email generally a week before meeting with them to confirm their willingness to participate and availability. The questions were sent the day before, allowing the interviewees to prepare responses if they felt that were necessary. For several interviews, follow-up questions were sent via email to ask clarifying questions or perspectives on aspects raised in interviews with other stakeholders. The list of interviewees was developed in collaboration with the client (FOGL and BPS) who identified key stakeholders from their background knowledge of working with the food cart industry. During interviews, ECP was often referred to additional stakeholders by the interviewees themselves and a number of these were contacted and interviewed. In addition to engagement through interviews across these three stakeholder groups, ECP also developed a survey to broaden the scope of engagement and allow non-interviewed stakeholders to share their perspectives and also collect more quantitative data to supplement the qualitative information gathered during interviews

EXISTING CONDITIONS

Historical Context

Timeline Overview¹⁷

- 1913 - Joseph Gatto goes around with his horse pulled cart
- 1930 - Gatto stabilizes his business into a warehouse
- 1980s - One food cart in the city
- 2000 - Food carts pop up downtown sparsely

¹⁷“Food Carts in Portland: the Story Behind the Icon.” Portland by Mouth. April 20, 2020. <https://portlandbymouth.com/food-carts-in-portland-the-story-behind-the-icon/>

2001 - Bidding war for 4 cart spots along the South Park Blocks (175 carts applied)
2002 - Food carts open in Cully
2004-2007 - Food carts on Mississippi
2007 - Food carts in Sellwood
2006-2010 - 450 food carts in downtown
2007-2009 - Recession and food cart boom
2011 - Portlandia premiers marketing food carts as a Portland attraction
2012-2014 - Food carts continue to open and formally organized pods develop
2015 - Over 600 carts across 50 pods throughout the city
2015 - Portland Mercado opens as a food cart incubator site
2016 - RFP from Pioneer Square for 5 food carts which received 125+ applications
2019 - Displacement of 55+ pods from Alder Street Pod for hotel development
2019 - Development of Culinary Corridor concept along Green Loop in the Central City
2020 - Global pandemic disrupts downtown activities, impacting food carts
2020 - Travel Portland launches food cart finder feature on website
2021 - Mayor commits to economic recovery focused on livability , houselessness, equitable economic recovery and police reform (all areas that intersect with food cart operations)
2021 - In May, Ankeny West Pod is approved by Mayor and Council and allocated funds to begin preparing the site

Early History

While Portland's iconic food cart scene might seem like a mere contemporary product of modern consumption practices, food carts actually have a long-rooted history in the Rose City. Joseph Gatto is widely touted as the first food cart vendor in Portland. Travel blogs and cultural exposés alike all begin their exploration of the explosion of food carts in Portland by describing how Gatto, an Italian immigrant, began selling produce from his horse-drawn cart as early as 1913.¹⁸ The city's first stationary food cart was built in 1965. It was a Hebrew National stand that sold hot dogs across the street from City Hall.¹⁹ While food carts remained sparse throughout the city until a dramatic boom in the late 2000s, Multnomah County does have records of mobile food unit licenses stretching back to the 1970s, including one for the "Oaxaca Super Tacos" cart which remained in operation until 2016. Other cities have relied on mobile food units, such as carts, trucks, and push carts, in their community development initiatives, but it was not until the Great Recession of 2008 when food carts truly became a part of Portland's food scene and identity.

2008 Recession

The economic recession that followed the housing crisis in 2007 created conditions that made food carts attractive for both entrepreneurs and consumers alike. Mass unemployment and low startup and operation costs lured laid-off chefs, immigrants, and first-time business owners to

¹⁸ "Food Carts in Portland: The Story Behind the Icon." Portland by Mouth. April 20, 2020.
<https://portlandbymouth.com/food-carts-in-portland-the-story-behind-the-icon/>

¹⁹ "PDXplained: Tracking Down the Oldest Food Cart in Portland." KGW. October 16, 2020.
<https://www.kgw.com/article/news/local/pdxplained-tracking-down-the-oldest-food-cart-in-portland/283-604944779>

the food cart game: “*The recession created an explosion for this food culture because it allowed people to be adventurous without spending too much.*”²⁰ Lower operating costs mean lower meal costs, which was attractive for financially struggling Portlanders and tourists wishing to travel on a budget. The culturally diverse backgrounds of food cart operators allowed for endless cuisine options at affordable price points. Under these circumstances, the food cart scene boomed. Within the city of Portland alone, there was a 25 percent increase in food cart licenses issued between 2008 to 2009 (461).²¹ They were no longer a kitschy food trend to be found on select corners of the city; instead, food carts had grown to become a local industry of their own making. Food carts played a central role in saving culinary businesses at various levels, and drove significant local economic activity in a recovering city. Due to their success during this challenging time, the narrative that food carts largely “beat” the recession has become celebrated amongst food cart owners, other industry members, local media, and community members. The resilience, creativity, and “do-it-yourself” mentality of food cart owners embodies a shared sense of local pride that has continued to be an integral part of Portland culture for over a decade.

Current Context

Now, over a decade after the Great Recession and the “food cart boom,” the food cart industry is facing a new set of challenges. Development and investment in land across the city has threatened to displace food cart pods that have traditionally operated on private lots, impacting both long-standing and new food carts alike. Meanwhile, the COVID-19 pandemic has created intense hurdles for all service industry businesses, but especially food carts who rely on an active, thriving environment for their clientele. With downtown office workers now working from home, fewer tourists, social protests, and the subsequent actions taken by law enforcement and community members have continued to discourage local travel to the Central City area where a large number of food carts are located.

COVID-19

While the COVID-19 pandemic has had significant impacts on every industry, it is hard to imagine that any were hit as hard as the food industry. 81% of Oregon restaurant workers lost their jobs in the early stages of the pandemic.²² Within one month of lockdown, more than four percent of restaurants in Oregon realized they would not survive and announced they were closing permanently. These closings have only come more rapidly as the pandemic has dragged

²⁰ C Chong. “Why Food Carts?” Oregon Brands. February 19, 2015.

<https://j460oregonbrands.uoregon.edu/2015/02/10/why-food-carts/#:~:text=The%20recession%20of%202007%20did.adventurous%20without%20spending%20too%20much.>

²¹ “Portland Food Carts Push Through Recession.” Oregon Business.

<https://www.oregonbusiness.com/article/archives/item/5639-cash-and-carry>

²² Brooke Jackson Glidden “81 Percent of Oregon Restaurant Workers Have Lost Their Jobs Due to the Coronavirus Pandemic.” Eater. April 23, 2020.

<https://pdx.eater.com/2020/4/23/21232884/job-loss-numbers-restaurants-covid-19-quarantine-wine-donated-produce>

on for over a year. Eater PDX has maintained a “Running List of Portland’s Restaurant, Bar, and Food Cart Closures”²³ while popular blog Portland Food Maps has maintained a “Closings Archive” of pandemic closures.²⁴ Total numbers for local closures at this point in the pandemic aren’t yet available (especially as some restaurants maintain that they are closed currently with their future uncertain), but it is estimated that more than 110,000 restaurants closed nationally before the end of 2020.²⁵ It is in this climate that many are looking to food carts as a pandemic-proof alternative, with fewer overhead costs, less staffing, and more flexibility with location and scheduling being the key attractive factors.

Eater PDX wrote: “As brick-and-mortar restaurants scrambled to devise sustainable to-go plans during the pandemic, food carts were able to continue doing what they do best: adapt.”²⁶ When lockdown was first ordered in mid-March 2020, all restaurants had to become take-out only. But food carts, at least theoretically, are already all take-out only, all the time. Due to their location in open-air environments, many Portlanders felt more comfortable visiting food carts to grab their to-go meals rather than entering restaurants. The low overhead that is intrinsic to the food cart model allowed for flexibility. Food carts vendors have stayed “light on their feet” and remained “expert adaptors” in an infamously tumultuous industry. In order to survive, many food cart owners have had to raise their prices to meet additional costs imposed by landlords and health precautions which has seen some food carts close permanently²⁷. Others have been more successful navigating these changes due to more flexibility in regards to the regulations they must follow in comparison to brick-and-mortar restaurants, but have struggled nonetheless²⁸. This resilience in the face of the pandemic has inspired many brick-and-mortar restaurant owners and chefs to change to the food cart model. While local media has lamented the many closures of Portland-area restaurants, they have simultaneously celebrated many openings of new food carts.

“It seems like food carts are in the midst of a renaissance — not just for their food, but as leaders within a struggling culinary world”²⁹.

²³ Brooke Jackson Glidden “A Running List of Portland’s Restaurant, Bar, and Food Cart Closures.” Eater. May 4, 2021. <https://pdx.eater.com/22240842/portland-restaurant-bar-cafe-closings>

²⁴ “Closings.” Portland Food Map. <https://www.portlandfoodmap.com/category/closings/>

²⁵ Rachel King. “More than 110,000 eating and drinking establishments closed in 2020.” Fortune. January 26, 2021. <https://fortune.com/2021/01/26/restaurants-bars-closed-2020-jobs-lost-how-many-have-closed-us-covid-pandemic-stimulus-unemployment/>

²⁶ Brooke Jackson Glidden, “The Scrappiness of Portland’s Food Carts Made Them Leaders During the Pandemic.” Eater. August 31, 2020. <https://pdx.eater.com/2020/8/31/21403119/portland-food-carts-surviving-takeout-pandemic-2020>

²⁷ Jackson-Glidden, Brooke (2020). The Scrappiness of Portland’s Food Carts Made Them Leaders During the Pandemic. Eater PDX. Published August 31, 2020. Accessed February 20, 2021.

²⁸ Norcross, Geoff (2020). Portland’s Food Carts Show Resilience During the Coronavirus Pandemic. Oregon Public Broadcasting (OPB). Published August 22, 2020. Accessed February 20, 2021. <https://www.opb.org/article/2020/08/22/portland-oregon-food-carts-coronavirus-covid-19-pandemic/>

²⁹ Brooke Jackson Glidden, “The Scrappiness of Portland’s Food Carts Made Them Leaders During the Pandemic.” Eater. August 31, 2020. <https://pdx.eater.com/2020/8/31/21403119/portland-food-carts-surviving-takeout-pandemic-2020>

Downtown Development

While food carts generally have been able to adapt and succeed during the pandemic, their stability and long-term viability are threatened by development and a changing downtown. It is often seen that as food carts have wheels, they are temporary uses that can be relocated relatively easily in order to prioritize increasing housing and employment needs on private lots. In 2019, property manager City Center Parking notified tenants of the beloved and iconic food cart pod (the oldest in the city) at SW 10th and Alder that they had 30 days to move, as the land had been sold to a developer to build a Ritz-Carlton that incorporates residential and office space, as well as a food hall. While Friends of Green Loop and Prosper Portland were able to find a temporary storage space for the food carts to park while planning where to relocate permanently, an article asking “Can Portland’s Food Carts Survive the City’s Development Boom?” argues that what happened at SW 10th & Alder should “serve as a cautionary tale for any city undergoing an influx of new residents and business investments, where lower-income, immigrant, and other vulnerable populations are displaced by successive waves of people attracted to the very culture those populations helped create.”³⁰ The real estate market of downtown Portland continues to rapidly develop, and food cart pods on empty parking lots are often easy targets for a city with an increasing housing shortage. Another article from the Portland Mercury, “The Disappearing Food Cart, anxiously asks “Cheap lunches are a Portland food cart staple, but is rampant development signaling the death of the pod?”³¹ Development threatens displacement, a challenge that is not so easily met independently by “scrappy” cart owners when there are fewer and fewer alternatives.

Current Portland Policies

Flowchart

Submit Plan Review & License Application Packets to Multnomah County HD (License \$425, Plan Review \$405, Commissary \$340)



Attach a complete menu



Floor Plan/Equipment Layout



Other Possible Permitting Processes

Development Services: Site approval (zoned commercial, paved surface, surface drainage); permanent electricity connection (with capability to be quickly disconnected)

Revenue Bureau: Register and receive business license; based on business size, have to pay a tax

Transportation: Special permitting for right-of-way encroachment

Parks & Recreation: Special permitting for all commercial activity on park property

³⁰ Brendan Seibel. “Can Portland’s Food Carts Survive the City’s Development Boom?” Eater. July 23, 2019. <https://www.eater.com/2019/7/23/20707114/portland-food-carts-disappearing-development-boom>

³¹ Andrea Damewood, “The Disappearing Food Cart.” Portland Mercury. July 11, 2018. <https://www.portlandmercury.com/cheap-lunch/2018/07/11/21234906/the-disappearing-food-cart>

Fire and Rescue: Permitting for temporary structures, propane tank systems, fire extinguisher, and recommended vent hood fire suppression systems
Water Bureau: IF connecting directly to Portland city water supply
Environmental Services: Portland Stormwater Management Manual compliance
Oregon Liquor Control Commission (OLCC): Liquor license and accompanying alcohol service permits for anyone mixing, serving, selling alcohol

↓
Restroom Requirement Form, Wastewater Disposal Form, Commissary Verification Form

↓
Pre-opening inspection from MCHD one week prior to opening

↓
Begin operation with expectation of first statutory inspection approx. two weeks after opening

Policy Summary

Existing permit requirements for mobile food units in the City of Portland, in general, begin and end with the Multnomah County Health Department (MCHD). The MCHD defines Mobile Food Units as *“any vehicle that is self-propelled, or which can be pushed or pulled down a sidewalk, street or highway, on which food is prepared, processed or converted, or which is used in selling and dispensing food to the ultimate consumer”* and establishes four types of classifications³²:

- **Class 1**
 - No potable water required or handwashing station
 - Can only serve prepackaged* foods
 - Mult Co licenses very few Class 1 mobile units
- **Class 2**
 - 5 gallons of warm potable water required for handwashing station
 - Can serve prepackaged foods and unpackaged** foods but cannot assemble, prepared, or cook any food in the unit
 - No preparation or assembly of food items is allowed
- **Class 3**
 - Can serve a full menu with restriction on raw animal proteins that may not be processed or cooked on the unit
 - Commissary often required for Class 3 units
 - Dishwashing sink or dishwasher required if not using commissary
- **Class 4**
 - Prepare and serve a full menu
 - All requirements from other classes are required
 - Three compartment dishwashing sink or commercial dishwasher is required

***Prepackaged Foods:** These are foods that are wrapped in a durable, impermeable wrapper. Prepackaged refers to foods processed and sealed in a commercial manufacturing facility, and also to foods processed and sealed in a licensed commissary kitchen in accordance with health department rules and regulations.³³ Examples include: individually packaged muffins, individual yogurt cups, and foods processed, prepared and labeled at a commissary kitchen.

³² Multnomah County Health Department, "Mobile Food Unit Plan Review Packet," <https://multco.us/file/8899/download>

³³ Multnomah County Health Department, "Mobile Unit Playbook," https://multco-web7-psh-files-usw2.s3-us-west-2.amazonaws.com/s3fs-public/mobile_unit_playbook.pdf

**** Unpackaged Foods:** Food items that are not packaged but do not require any assembly such as preparing, cooking or warming them. Examples include: fruits, nuts, or items prepared in bulk beforehand and then served into individual selling units when bought.

Mobile food units are a vehicle that must be capable of mobility at all times during operation, though there is no requirement to move at specific intervals. Most units discussed in this report stay in one location for more than 30 days. This means they must receive approval from the Prefabricated Structures Section of the Building Codes Division within Multnomah County.³⁴ The unit application must contain complete plans drawn to scale with materials descriptions. The application should also contain a list of all the necessary operating equipment. Commissary kitchens and warehouses for food and wares also need to be established and licensed prior to opening. A commissary should meet all Health Department standards for the preparation, cooking, holding, and storing of food. Neither commissaries nor warehouses are necessary for food cart operation, but are dependent on operational considerations.

Site Requirements

In the City of Portland, the Bureau of Development Services (BDS) regulates mobile food units on private property as buildings, unless they meet certain criteria to consider them an exempt vehicle. The unit must sit on a paved parking area that is zoned for retail use. BDS requires that carts are no more than 16 feet in length. The cart must have wheels, and any canopies or awnings must be supported by the cart. There are to be no plumbing connections, and the unit must be self-contained. BDS requires an electrical permit, unless the unit is already completely wired. An extension cord cannot be used to connect a power source.³⁵

All units doing business in the City of Portland must register with the Portland Revenue Bureau and acquire a business license. A business tax registration form covers the City business license tax, Multnomah County Business Income Tax, and Metro Supportive Housing Services Business Income Tax. Not all businesses are required to pay these taxes, but licensure is required to determine eligibility. The only exemptions to the business tax are for businesses that gross less than \$50,000 per year before expenses and less than \$100,000 at the County level, and businesses whose activity is regulated by the State Insurance Division.³⁶ Most food carts would not qualify for this exemption as a survey of mobile food units across the country in 2017 noted that over 85% of mobile food units grossed over \$100,000 per year³⁷. Note that this is gross revenue, not net revenue and does not account for expenses.

Portland Bureau of Transportation (PBOT) regulates the public right-of-way within the city. If any part of the unit encroaches the right-of-way, a special permit from PBOT is required.³⁸ Portland Parks & Recreation (PP&R) has similar permitting practices for mobile food unit operation on

³⁴ Ibid.

³⁵ City of Portland Bureau of Development Services, "I Want to Operate a Vending Cart on Private Property," <https://www.portlandoregon.gov/bds/article/226795>

³⁶ City of Portland Revenue Division, "Tax Info Sheet," <https://www.portlandoregon.gov/revenue/article/395552>

³⁷ Food Truck Empire (April 2017). "Survey Results: What is the Average Income for a Food Truck Vendor." <https://foodtruckempire.com/news/survey-income/>

³⁸ City of Portland Bureau of Development Services, "I Want to Operate a Vending Cart on the Public Sidewalk," <https://www.portlandoregon.gov/bds/article/226798>

park property.³⁹ Regulations around mobile food units on public property significantly alter the application process for a food cart owner.

Health & Safety Requirements

The City of Portland has specific fire code requirements for mobile food units. Fire code requirements and recommendations are regulated by Portland Fire & Rescue (PFR). If a unit is operating with propane, they are required to obtain a permit and renew it annually. Propane tanks must be placed outside of the unit. If the tank is greater than 25 gallons, a special tank permit must be obtained from the Fire Marshal's Office. Fire extinguishers are required and undergo annual servicing, and fixed fire suppression systems are recommended. If there is no fixed suppression system, a cooking vessel lid is required.⁴⁰

Water and wastewater are also an important part of mobile food unit policy.

1. Handwashing systems with plumbed hot and cold running water
 - a. Minimum five gallons of water dedicated to handwashing
2. Dishwashing system with plumbed hot and cold running water
 - a. Minimum 30 gallons of water OR twice the capacity of three compartment sink⁴¹
3. Wastewater and water tanks
 - a. Wastewater tank must be 15% larger than water tank
 - b. May connect to public water and sewer if connections are available⁴²
4. MCHD wastewater disposal form
5. Consultation with Portland BES to determine proper greywater disposal
6. Greywater Disposal
 - a. On-site recycling container
 - b. On-site grease interceptor
 - c. Oregon Department of Environmental Quality (DEQ) approved vendor for greywater removal⁴³

Any mobile food unit that is parked in the same location for more than two hours is required to provide a restroom. This restroom facility must have warm running water, soap, and paper towels.⁴⁴ MCHD requires an attached form along with the mobile unit application that designates an accessible restroom facility within one-quarter mile.

If storing food overnight, electricity is required to the unit at all times. If refrigeration runs throughout the night, extension cords are not as secure as a hardwire connection. However,

³⁹ City of Portland Bureau of Development Services, "I Want to Operate a Vending Cart in a City Park," <https://www.portlandoregon.gov/bds/article/226800>

⁴⁰ City of Portland Fire & Rescue, "Fire Code Requirements & Recommendations," <https://www.portlandoregon.gov/fire/article/624578>

⁴¹ Oregon Health Authority, "Mobile Food Unit Plan Review Packet," May, 2020, <https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/FOODSAFETY/Documents/muplanreview.pdf>

⁴² Oregon Health Authority, "Mobile Food Unit Operation Guide," February, 2020, <https://www.oregon.gov/oha/ph/healthyenvironments/foodsafety/documents/muguide.pdf>

⁴³ Multnomah County Health Department, "Mobile Food Unit Plan Review Packet," <https://multco.us/file/8899/download>

⁴⁴ Oregon Health Authority, "Mobile Food Unit Plan Review Packet," May, 2020, <https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/FOODSAFETY/Documents/muplanreview.pdf>

there is no requirement to hardwire the unit. To meet mobile unit transportation standards, any hardwired units must still be easily disconnected.⁴⁵

Multnomah County and the City of Portland use these regulations for all mobile food units within their jurisdictions. However, the County takes a much more active role in mobile food unit policy and is usually the first point of contact for first-time mobile food unit operators and units currently in operation.

Regional Comparison

ECP briefly looked into nearby municipalities and how they approach food cart policy and permitting. It is worth noting that Portland is much larger than its neighbors, Beaverton, Gresham, and Oregon City, which are discussed below. Regional collaboration and sharing can be useful for broadening ideas around what the policy possibilities are.

The City of Beaverton allows for permanent food cart pods, and a building permit for units is required for any permanent mobile food unit. Mobile food units in Beaverton are also required to pay a CleanWater Services sanitary sewer fee, a Transportation Development Tax, and a Park sanitary sewer fee in addition to permitting fees.⁴⁶ In Gresham, mobile food units are permitted in any place a commercial business is allowed. Any cart on a site longer than four hours is considered permanent. There is no direct connection to water or sewer allowed. All units are exempt from land-use district density and Design District design guidelines and standards.⁴⁷

Oregon City requires all right-of-way considerations to be approved by the city engineer. Any permanent utility lines must be placed underground and any non-transitory carts require permanent utility connection. There are separate design standards for transitory and non-transitory mobile food units.⁴⁸ Other municipal jurisdictions around the Portland Metro have taken a more active role in mobile food unit policy. The main difference is that the City of Portland oversees a much larger, more diverse mobile food unit operation.

ENGAGEMENT

Engagement Overview & Strategy

The community engagement portion of this project took place between late February and early May, forming the bulk of project activities. During this time, we worked to engage three different stakeholder groups: Community Organizations, Food Cart Owners, and Public Agencies. The community engagement process was central to gaining a full understanding of the role of food carts in Portland's Central City and crafting holistic recommendations. The presence of mobile food units in any city has an impact on design, local economy, tourism, public perception, safety, and more. Because of this, we aimed for our engagement process to capture a variety of

⁴⁵ Multnomah County Health Department, "Mobile Unit Playbook," <https://multco.us/file/35485/download>

⁴⁶ City of Beaverton, "Building Code Considerations for Mobile Food Carts," <https://www.beavertonoregon.gov/DocumentCenter/View/10844/Mobile-Food-Cart-Code-Considerations?bidId=>

⁴⁷ City of Gresham, "Food & Beverage Cart Permit Information," <https://greshamoregon.gov/WorkArea/DownloadAsset.aspx?id=1684>

⁴⁸ Oregon City Planning Department, "Mobile Food Units," <https://www.orcity.org/planning/mobile-food-units>

perspectives, with an attempt to focus on people of color who are often left out of public processes.

The COVID-19 pandemic impacted our engagement process, forcing us to conduct all interviews virtually, either over Zoom or the phone (as well as one interview over email). During the engagement phase, over 30 interviews were conducted across the different stakeholder groups and an online survey was distributed to mobile food unit operators through a Facebook group and an email distribution list. We were able to meet our client twice in-person; once to do a walk-through of the food carts displaced from the Alder pod and which are temporarily housed at the USPS site, and a second time to do a walk-through of the Ankeny West site in downtown Portland where we were joined by a dozen of the displaced food cart owners. This site is where our client is actively working to provide a new opportunity for displaced carts to relocate and many of the cart owners who were present noted how eager they were to see this new pod come into fruition. Although the conversations we had on this walk-through were informal, they were a significant part of our community engagement. During this time we were able to build some rapport and explain our project to an enthusiastic audience. Many of these cart owners were ones we later formally interviewed.

Equity Considerations

As a predominantly white team, we were cognizant of our role as student researchers and the power and privilege embedded within that. When crafting our interview plans, we aimed to meet people where they were and adapt to a more informal conversation when necessary, with the ultimate goal of increased accessibility and comfort for all. For interviews conducted with Community Organizations and Public Agencies, equity was addressed through what we talked about and the type of questions we asked to better understand how these stakeholders were interacting, supporting, and potentially hindering food cart owners, especially those from often marginalized groups. We were able to secure interviews with all the public agencies we identified as being directly involved in the oversight of mobile food units, although not always with the individual or role that we had hoped. For example, we attempted to secure interviews with decision and policy makers at the managerial and director levels at PBOT Permitting, but were instead directed to other contacts within the agency that handled more of the day-to-day oversight. Although these interviews were informative and useful, they did not offer the same level of insights that we would have obtained from discussions with higher-ups in the agency. Interviews with Community Organizations spanned a wide range of entities, from ones with incubator programs and food cart management to others who represent neighborhoods and the tourism industry.

For interviews with Food Carts Owners, we prioritized equity by intentionally engaging a diverse group of operators, representing different ethnic and national origins, genders, scale of operations, and vendors who were active, inactive, and who were leaving the industry. Although largely successful in collecting perspectives to broaden our understanding of the equity considerations around operating a food cart, a limitation that we encountered was not being able to go visit active food cart pods in the downtown area and engage directly with food cart owners. We relied heavily on the existing networks and relationships that our client has with

food cart owners which helped identify a diverse, representative group of respondents. This allowed for likely richer and more transparent interviews although limited our ability to have a true random sample of food carts. Another limitation was that we did not have access to interpretation services which reduced the number of food carts we could directly talk to, although in one case this was overcome by talking with the owner's daughter instead of the owner who was not English-proficient.

Throughout the process, we were aware of the ways that interviews can perpetuate hierarchy, and aimed to build camaraderie with our interviewees as much as possible. Conducting interviews over Zoom and the phone allowed us to be able to talk to food cart owners while they were at work, rather than expecting them to find time outside of work to meet with us. This allowed for more people to participate because they didn't have to worry about leaving their workplace unattended or losing revenue to participate in our interview process. We also adapted how we interviewed, based on what food cart owners needed. For example, one cart owner only had a half hour available rather than an hour, and another cart owner preferred to answer through email due to time constraints. We were flexible and willing to adjust our own expectations to be able to hear from more people. Lastly, it was important to be able to offer compensation to the food cart owners we interviewed to thank them for their time. We were able to offer a \$20 Fred Meyer gift card to each food cart owner which was funded by Portland State University.

Key Engagement Takeaways

Through our engagement with these different stakeholder groups (interested organizations, food cart vendors, and public agencies), we found the following themes to be prevalent, and they should be prioritized when making recommendations. More details from each stakeholder group are unpacked below these high-level observations.

1. Food carts are a crucial aspect of Portland's economy and character, and need to be intentionally considered during the planning process

It is essential to center the needs of food cart owners when planning for food carts in Portland. This should include planning on a large scale, such as periodic comprehensive plans, and in smaller scale planning, such as site development or corridor visioning. The disconnect between City staff and food cart owners was apparent in interviews with both stakeholder groups, and relationships between the two must be cultivated in culturally-relevant and appropriate ways. It is important to remember that though regulations can be important to providing structure and guidance, overly burdensome requirements can have a negative financial impact on small businesses, especially immigrant and people of color business owners. The autonomy that comes with owning and operating a food cart is an important part of what makes them different from a brick-and-mortar. Too many regulations can interrupt the autonomy that inspired vendors to enter the industry. Positive relationships between the City and food carts are critical to the longstanding viability of food carts operating in the downtown, Central City, and metro areas and hinge on strong relationships, access to resources and story sharing.

2. Bureaucracy and governmental structure are sources of frustration

We heard multiple times about the challenges related to Portland's commissioner-style of government. The main challenge that appeared to be present was the siloing of bureaus under individual commissioners making cross-bureau communication and co-bureau decisions quite complex due to the channels of communication having to go up and down rather than directly across bureaus. Additionally, as commissioners are term-serving, there is often a change of priorities when new leadership takes over meaning some elements are dropped while others are taken on. Though this structure will not change overnight, there are ways to work within it and increase cross-bureau collaboration. Food cart owners were largely unaware that the City could be helpful in providing them with resources, and they mostly associate the City with enforcement. The traumatic relocation from the Alder Street pod has left many distrustful of the City because although they were not directly responsible for the development, they did not provide much support or protection for the food cart owners. This makes it all the more important for public bureaus and city commissioners to distinguish themselves and become known to food cart operators. We also heard from PBOT Permitting that the current iterations of city code make it nearly impossible to integrate food carts into the right-of-way or to integrate food trucks at all. This highlights the importance of understanding the intention behind the code, and advocating for that, rather than religiously following code. Reengaging food cart owners to collaboratively discuss ways to move forward will be paramount to setting equitable precedents. For the City, discussions around how to address issues that intersect the jurisdiction of multiple bureaus will provide clarity for outsiders on where to go and who to ask for assistance.

3. There is overwhelming support for food cart success in Portland, but conversations and story-sharing are necessary

In our interviews we heard how organizations, vendors, and public agencies each relate to the food cart industry and benefits, either directly or indirectly, from its success. For organizations that support food carts, they get to engage in collaborative problem-solving and celebrate the successes of food cart businesses while making their city a better place. Being slightly removed can help them advocate for food carts in ways that owners themselves may be unable to. Public agencies want to see food carts succeed as this leads to increased tourism, economic activity, and vibrant place-making throughout the city although some respondents did express hesitations about pushing policy or permitting changes too quickly. For example, Prosper Portland spoke to their perspective on city planning being long-term, whereas business owners, such as food carts, need to be more focused on near-term revenue generation to remain in business resulting in different priorities. Food cart owners naturally want to see their businesses succeed, and they may be closer to sustainable success if they can access resources through the city. Additionally, they can be the hallmarks of economic resilience and recovery as seen following the 2008 recession but also rely on a conducive and supportive environment provided by the City for their businesses to thrive. These aspects highlight the importance of relationships and conversations between the different stakeholder groups as their interests are all interconnected.

Engagement: Community Organizations

ECP began the engagement process by interviewing a variety of organizations that intersected with the Portland food cart world. Organizations (including neighborhood associations, nonprofits, and community-based organizations), have a unique relationship with food carts. They often operate adjacent to food carts rather than directly with them, creating opportunity to support them and build capacity; not from a place of obligation, but from a place of mutual benefit. Often, food carts will border or share space with businesses and it is in the best interest of both to collaborate. We spoke with representatives from seven organizations that intersect with the food cart world in Portland.

These organizations were chosen to be interviewed first as they were easier to organize and provided additional context on the role of food carts in Portland, before the team spoke with food cart owners or public agencies. The key question for this group of stakeholders was asking them to explain how their organization intersected with food carts, how they supported food carts, and what recommendations they might suggest. These organizations represented a variety of perspectives, including park preservation, small business development, neighborhood atmosphere, and tourism which is emblematic of the wide impact that food carts have in Portland. They also varied greatly in terms of proximity to the food cart world with some, such as Hacienda CDC, working directly with food cart operators at the Portland Mercado and others, such as Portland Parks Foundation, envisioning uses for public space that may be adaptable to hosting food carts but rarely engaging directly with food carts. Speaking with this diverse group of organizations was helpful in expanding the understanding of the energy and momentum behind food carts in Portland, the challenges that they face, and the existing networks providing support.

The organizations and their relationships to food carts are listed below:

- Hacienda Community Development Corporation (CDC): Hacienda manages Portland Mercado, a business incubator site which houses nine food carts and six indoor businesses meant to provide affordable space for businesses that celebrate Latino culture to start and grow.
- Oregon Mobile Food Association (OMFA): OMFA connects, supports, and advocates for mobile food vendors. Its purpose is to be a common place to unify vendors to support each other, discuss challenges, and share resources.
- Travel Portland: Travel Portland is one of the main hubs of information for tourists to learn everything about where to go and what to do in Portland. Their website contains a 'Food Cart Finder' where people can browse food carts and filter by cuisine, proximity to them, and dietary preferences.
- Aforma: Aforma is a design company whose founder serves on an advisory board for the Bureau of Development Services. He is involved with policy and neighborhood change and particularly interested in the structural challenges of opening food carts in the right-of-way.
- Pioneer Square Management: Pioneer Square Management manages several food carts at Pioneer Square - a hard-surfaced plaza in downtown Portland. These carts are

heavily curated with design specifications, but receive significant support through plaza's management. They represent a unique intersection between the public realm (Pioneer Square is technically a public park) and private management.

- Portland Parks Foundation (PPF): This private foundation advocates for community-oriented parks and public spaces that are accessible, spark creativity and inspire play. Changes to the right-of-way to incorporate food carts would intersect with the work of PPF, and likely contribute to their mission.
- Portland Downtown Neighborhood Association (PDNA): The PDNA is a group of downtown residents, business owners, employees, and students that has been meeting in some capacity since 1977 to mobilize and provide public input to city bureaus on changes that affect the downtown area. Development changes can impact food carts, business owners, and residents alike.

Attempts were made to contact City Center Parking (which managed the Alder Street Pod) and the Portland Business Alliance (which advocates for business and oversees the Clean & Safe program in the downtown area) for their input and perspectives, but neither organization replied to our requests. We also attempted to contact the managers of other food cart pods, but were unsuccessful in setting up interviews during our tight timeframe.

Overall, these interviews revealed community mobilization and support around food carts as opportunities, and most interviewees had a positive view on the expansion of food carts. However, the focus on the positive 'feel' of food carts meant that a lot of the structural challenges around accessing utilities were unknown to community groups. Public agencies and food cart owners tended to be more clued into the structural and logistical challenges of integrating food carts than these community organizations, especially in the right-of-way.

Below is a list of themes that spanned across the organizations that we interviewed.

Food Carts Celebrate Cultural Diversity

Portland's food cart scene represents a diversity of cuisines, ethnic origins, and flavors. Organizations that overlap with the food cart world play a role in supporting and celebrating that diversity. For example, Travel Portland's 'Food Cart Finder' tool is an online resource that highlights the variety of food carts that exist in Portland. Travel Portland took the opportunity to create this tool in the early days of the pandemic when food carts were clearly struggling and a tool like this didn't exist. Organizations like this are able to fill in the gaps when support from public agencies is moving slowly, and the Food Cart Finder is a testament to that. Community Organizations like the Portland Mercado pod, provide support and programming for food carts that are specific to the cultures represented in that community. Aldo Medina of Hacienda CDC, which oversees the Mercado pod, explained that it aims to "push back on stereotypes and highlight more Latin American cultures." Mercado hosts special events to draw people in and assists vendors with intentional marketing strategies, something that can be a challenge for immigrant vendors who may not be experienced in outreach efforts or branding for their business - especially over social media. Jennifer Polver of Pioneer Square Management described food carts as, "a great way to show cultural diversity that is sometimes hard to find."

This reflects the general sentiment expressed by all the Community Organizations that we interviewed which acknowledges that food cart pods can be powerful representations and a celebration of diversity for the city. Although not all these organizations directly support food carts through their programming, they were all supportive of the role of food carts in the city and do not want to see them displaced or shut down.

Challenges of Portland City Government

People and organizations outside of local government appeared to be frustrated and confused that food cart expansion can garner widespread support, but still remain stagnant on a policy level. These organizations discussed the challenges that they face when working through bureaucratic procedures and highlighted how these can trickle down to impact food cart owners. Several interviewees discussed examples of ongoing challenges of obtaining permits to operate in the ROW or public spaces, such as along the Green Loop to make a "Culinary Corridor". Others noted how "citizen involvement creates political pressure" and organizing food cart advocates to speak up might be one strategy for removing stagnation when political support is not enough. Additionally, several of these organizations observed that it can be challenging to engage and understand the structure of the local government. One respondent said "It's a challenge to have multiple elected officials involved in agencies that need to work together on a given issue." For food cart owners and those working with them, understanding which agencies are involved in permitting, policy and inspections can be quite confusing. This is compounded by the complexity of the commissioner-style form of government with different elected officials overseeing different bureaus and regularly changing.

On the other hand, Aldo Medina from Hacienda CDC described the collaborative relationship that the Mercado has with Multnomah County Health Department: as cultural challenges come up around what is deemed safe and sanitary, the County has been willing to listen and form solutions that preserve the integrity of the food and culture without compromising health and safety at the Mercado. The Health Department also has Spanish-speaking staff available to answer questions, which streamlines the transfer of information. Although this collaborative relationship is notable, it does reflect the need for advocates (such as Mercado) and personal rapport-building to navigate the city's governmental structure - something that some food cart owners may find intimidating, especially if language is a barrier. Even if organizations aren't able to pinpoint exactly where the problems lie, there is consensus that the government should be able to move supportive food cart policies along more swiftly.

Paradox of Low-Cost Accessibility

A common assumption about starting a food cart business is that they have low cost of entry and while many of our interview respondents did note this to be true, at least compared to trying to start a brick-and-mortar restaurant, there was a general sentiment that costs have been steadily increasing. Medina from Hacienda CDC estimated that the start-up costs for a cart at the Portland Mercado to be about \$12,000.00 (not including the cost of the cart itself, which the Mercado provides), and this cost includes permits, the first three months' rent, insurance, and a part-time worker. However this is significantly lower than elsewhere as it is a business incubator site with supportive funding and resources.

During engagement with food cart owners and discussions with our client it became clear that the cost of the cart alone can range between \$20,000.00 and \$40,000.00, not including all the other start-up costs. Additionally, renting spots on private lots often costs into the thousands of dollars per month. Furthermore, Medina and others noted that food carts tend to be low profit margin businesses with owners dedicating 12+ hours a day to run their business for relatively small profits. For those not fortunate enough to start their business through the Mercado program they have to resort to self-funding their start-up costs. This can range from personal savings, friends and family assistance, or small business loans through nonprofits like Miso, or general community lending. Most organizations we talked to were not aware of direct financial support for food cart businesses from public agencies, with the closest connection being access to loans through nonprofits that are funded by Prosper Portland.

“Food carts are one of the most accessible entry ways for immigrants to start a business, but the cost to enter has increased.” - Aldo Medina, Hacienda CDC

Relationship and Community Building

Several interviewees spoke to the opportunity that food carts provide to immigrants and non-native English speakers. The process toward getting started can take just a few weeks. Many new cart owners purchase existing carts that are already in a pod or designated spot, which also makes the process simpler. Language, Medina stated, can also be a huge accessibility challenge. He emphasized how scary it can be for an immigrant business owner to get a letter from the government that they don't understand. In addition to language accessibility for business owners, there is also an accessibility challenge for tourists who come to visit Portland to experience the food cart scene. Many foreign tourists come to Portland for the food scene but may find navigating the different carts and pods challenging as most signage is in English. Richard Tammar, from Travel Portland, discussed how he and his staff are unable to produce translated materials when engaging with food cart owners and how this is a limitation for building out the food cart finder database. This can be a challenge for tourists looking for certain cuisines, but also for food cart owners to read about and connect with other carts to build community.

Once in the business, operating a food cart can also be isolating. Most food carts are operated directly by the owners because of budget constraints and limited physical space. In turn, the community amongst staff you might find at a brick-and-mortar restaurant is not present. Leah Tucker, from OMFA, spoke to the gap that her organization is filling in terms of access to assistance, advice, and information between cart owners. Once in the OMFA, members have access to a community of fellow cart owners, and to Tucker herself, where they can crowdsource some of their questions and concerns. This has transformed the food cart industry, and is a testament to the benefits of building out more pods that prioritize relationships between carts and management, rather than separated structures operating in isolation. It is one thing to have the access to get into the business. Once there, it is important for cart owners to have access to information that will help them sustain their businesses. Organizations play a huge

role in building capacity for this continued accessibility but are often restricted by funding challenges and language barriers when trying to connect with food cart owners.

Engagement: Food Cart Owners

The second phase of engagement involved conducting one-on-one interviews with food cart owners. Initially, ECP was planning to engage food cart owners through the use of focus groups, which would have allowed ECP to reach more vendors and potentially foster an environment where they could build off each other's perspectives. However, between the limited timeframe, global pandemic, and finding a suitable location this approach was modified to be conducted via one-one-one interviews with a more focused group of food cart owners. Food cart vendors (including both owners and operators) have crucial insights about the barriers of opening and running food carts, as well as the opportunities and rewards associated with the food cart business model. In-depth engagement with food cart owners was essential to this project, in line with the philosophy of "*Nothing About Us, Without Us*."⁴⁹ Thus, engagement with this group was essential to an equitable approach to this project.

All of these cart owners had, at some point, operated at the Alder Street pod before being displaced in 2019 by the land being developed for a luxury hotel. Some of these carts were able to relocate and are still operating at other sites throughout the city while others remain in limbo since being displaced and are yet to reopen. Although all the carts had ties to the Alder Street Pod and the Downtown neighborhood, they represented a diverse group of food carts. Most of the cart owners interviewed were people of color, and represented a variety of cuisines, including Korean, Ethiopian, Syrian, American and Chinese. Some operated multiple units and relied on a high-volume production model, and some had just one cart and focused on branding. Though many were non-native English speakers, interpretation services were not necessary. The purpose of these interviews was to understand the stories behind these businesses, what services cart owners utilized in operating their businesses, and what were the most prominent challenges that they faced. Food cart owners were sent a \$20 Fred Meyer gift card, funded by PSU's College of Urban & Public Affairs, after the interview as a compensation for their time.

The interview participants included:

- Mahmoud Zeriek, owner of Kafta House
- Solomon Tefera, owner of Emame's Ethiopian Cuisine
- Bailun Sun, owner of Boom Crepes

⁴⁹ "Nothing About Us, Without Us" has become a popular slogan in community and political organizing, meant to express that no policy concerning a specific group of people should be created or implemented without the direct participation of that group of people in policy's development. It carries particular importance when concerning historically marginalized groups, including people of color, immigrants, low-income individuals, and people with disabilities. The phrase was used as early as the late 19th century by Eastern European labor organizers, and was popularized by disability advocates in the 1980s. It has become a rallying cry for community organizers advocating for the inclusionary engagement of all commonly excluded groups.

Julia Carmel, "Nothing About Us Without Us": 16 Moments in the Fight for Disability Rights." *The New York Times*. July 22, 2020. <https://www.nytimes.com/2020/07/22/us/ada-disabilities-act-history.html>
Rachel Garaghty, "Nothing About Us Without Us" ... including the use of this slogan." YNPN Twin Cities. https://www.ynpntwincities.org/_nothing_about_us_without_us_including_the_use_of_this_slogan

- Matt Breslow, owner of Grilled Cheese Grill
- Tali Ovidia, owner of Whole Bowl
- Jacky Ren, owner of Bing Mi
- Jane Kim, owner of #1 Bento
- Sabrina Zhang, owner of Bao Bao
- Lily Chen, daughter of Quing Yi Chen, owner of Hua Li House

The food cart vendors that participated were enthusiastic about the opportunity to share their experiences, successes, and concerns leading to fruitful and informative interviews. They ultimately reflected a shared passion for the food cart business model and a sense of pride about their role in placemaking in Portland. The interviews also revealed varying degrees of frustration toward the City of Portland for their perceived inaction and lack of support.

This spectrum of emotions manifested in several concrete, key themes across the breadth of interviews. They include:

Food Carts as a Way to Share Culture

Many of the vendor interviewees expressed a collected perspective that their carts provided the opportunity to share their culture through food with Portlanders and tourists alike, and that food carts were (to them) the easiest way to access this opportunity due to their low start-up costs. Lily Chen, daughter of the owners of the Thai food cart Hua Li House, said that her parents opened the cart in 2017 because they wanted to share their culture with Portland, and are excited to continue doing so once they find a new location to operate. Jacky Ren, owner of Bing Mi, makes authentic Chinese street food that he and his partners learned to make from watching Chinese YouTube videos. Solomon Tefera of Emame's Ethiopian Cuisine was proud to tell us that he makes very good Ethiopian food, and boldly claimed it as the *only* authentic Ethiopian food in Portland. Sabrina Zhang of Bao Bao noted that while there was plenty of Chinese food available locally, there weren't any baozi (steam buns). The low start-up costs of the food cart allowed her to open her own business specializing in steam buns. Interviewees said they also especially loved the diversity of customers who visited the Alder pod; the busy downtown area brought in local workers as well as international tourists who were enthusiastic about the authenticity of the food and the multidimensional experience.

Food Carts as the Key to Autonomy

Food carts also provide owners independence and autonomy in a local economy where immigrants are often relegated to lower-paying positions, and those without investors or institutional funding often cannot open their own business. Jane Kim, owner of #1 Bento (which she operates with her husband), explained that she had previously owned a restaurant in Lake Oswego, but the rent was too high to make a profit. They sold the restaurant, and her husband went to work as a sushi chef. She said, *"We are used to working for ourselves, so going to work for someone else... Even though we ran the business for them, the owners didn't appreciate it. When someone appreciates you, you are willing to work harder."* Owning a food cart provided autonomy for the vendors we interviewed. Many displaced cart owners are currently working in other industries while they wait for the displaced food carts to be approved at a new location,

and there was a palpable sense of impatience as they wait for the ability to run their businesses again. Most interviewees also expressed that they are able to support themselves and their families financially solely from their food cart, whether they had multiple carts or just one, despite the fact that they are low profit margin businesses.

“It was always my father’s dream to run a small business where he could make his favorite dishes from home to share with others.” Lily Chen, daughter of owners of Hua Li House

Difficulties of the Early Scene

We opened our interviews with the question “Can you tell us the brief story of your food cart business?” While this question prompted many of the details highlighted in the prior themes discussed, it also led many of our interviewees to describe the early food cart scene in Portland (for those who had been in operation since then, which most had). From 2007 to 2009, a small number of food carts were opening up sporadically around Portland. The scattered nature of this development, as well as the specificity of carts themselves (as opposed to other types of mobile food units), meant that the City of Portland did not have measures in place for regulating this new industry. While this local history is explored in the Existing Conditions section, it was much richer coming from our vendor interviewees who experienced it firsthand. There were dual consequences to this lack of regulation: many new vendors felt a freedom in the lack of oversight, which provided the ability to be creative and to do so affordably; however, vendors were also worried about the future legality of decisions they were making while also frustrated about the absence of information and resources. One interviewee aptly likened this chapter of the early food cart scene in Portland to the Wild West: “*You could get away with whatever you wanted until you couldn’t.*”⁵⁰

The early food cart scene in Portland also had relatively few options for food cart purchasing options. Carts were not as easily available for purchase as they are now, because there simply was not enough of a demand. Many vendors purchased used carts that they found via word of mouth and the few carts that were available were not uniform. This, combined with lack of regulation, meant that many food carts were customized, aka the “Do-It-Yourself Cart.” It is these early, non-uniform carts coupled with a culture of customization that has led to many of the logistical hurdles and design inconsistencies now facing pods today.

Utility access and sanitation were also major concerns of the early food cart scene, though these concerns are still contemporarily relevant. Even with long-standing pods like SW 10th and Alder, cleanliness was a concern. Solomon Tefera, owner of Emame’s Ethiopian, would often hear customer complaints about cleanliness, some even sighting rats. Tali Ovadia, the owner of Whole Bowl, said that the “utility end of things was very challenging at Alder, but not at Pioneer Square.” Sabrina Zhang of Bao Bao described how when she opened her first cart at the Alder pod, there was no water or sewer for her to use, so she used the tap from the parking lot. There was a consistent desire amongst vendors for pods to provide central and accessible utilities,

⁵⁰ Interview with Matt Breslow, owner of the Grilled Cheese Grill

sanitation services, and increased security (vandalization was a consistent stressor in both the early scene and today, as well).

“When the Goodmans, who owned the Alder parking lot, decided to get more carts, they didn’t update their infrastructure to meet the number of people. It was not set up for 40 carts. Sometimes someone would unscrew your hose because they needed more pressure, or the breaker would go out randomly. That was one of the first big pods, and a lot has been learned since then.” - Tali Ovadia, owner of Whole Bowl

The Magic of the Downtown Alder Pod & the Devastation of Development

Nearly every vendor interview conducted emphasized the singular importance of location to the success of their business, and no location could beat the downtown pod at SW 10th and Alder. For those who purchased a cart that was already in the Alder pod, they had a built-in clientele. Even with the issues of utility access, sanitation, and security discussed earlier, Alder was a special place culturally and a lucrative location financially.

For many, opening anywhere else just wouldn’t be adequate. Mahmoud Zeriek of Kafta House said he looked for other locations after being displaced, but nowhere else would have been sufficient. Bailun Sun of Boom Crepes said location was his biggest concern when opening, and that Alder was worth the waitlist and high purchase price because of the foot traffic and notoriety. Matt Breslow, owner of Grilled Cheese Grill and one of the earliest food truck entrepreneurs in Portland, relocated his Alder pod cart just seven blocks away to another downtown pod, and the decrease in business was dramatic. He expressed concern that even the Ankeny West location is “too far off the beaten path” to achieve the clientele that the Alder pod historically received. Jacky Ren of Bing Mi reopened on NW 23rd, and business was slow to start (although it has been improving in recent months because of local tourism and traffic from hikers in Washington Park). Jane Kim of #1 Bento, who has another cart that is doing well enough, expressed nostalgia for the Alder pod not only because of the high volume of customers it provided, but because it was a central meeting place for tourists from all over the world. Solomon Tefera similarly expressed that he enjoyed the diversity of customers as well as businesses, and that made leaving that location especially hard.

The timing of the displacement in summer 2019 was also difficult as progress that had been made in finding alternative downtown spots came to a standstill in early 2020 with the global pandemic. Although most food cart owners stated that they missed the Alder Pod, the ones that were less nostalgic were those that had other carts already in operation at the time of displacement, such as Tali Ovadia who has several other Whole Bowl locations that have been able to continue operating throughout the pandemic, including one at Pioneer Square (although several other sites have temporarily closed)

“What I learned from moving seven blocks away: at 10th and Washington, there was something magical about this four-sided city block near Powell’s and Target. Seven blocks away from magic is not magic.” Matt Breslow, Grilled Cheese Grill

“Resources? Like What?”

We asked the interviewees first “Have there been any public or community resources that have been helpful for you?” followed by “Are there any food cart assistance or resources from the City or community that you would want to see more of?” Generally, none of the interviewees had taken advantage of any supportive resources nor could they share potential resources because they were unaware any existed. This reflected the reality we observed after discussing with public agencies what resources they had that might help food cart owners. Unfortunately, there were very few resources available. Small business loans from Prosper Portland were designed for slightly larger businesses, and food carts that net less than \$50,000 a year fall through the cracks. Some bureaus offered limited technical assistance or modified permits to facilitate access, but most food cart owners seemed unaware of these options, although one noted he received a reduced licensing fee when he first applied as it was his first license request.

When we asked if they had any resources in mind that they would *like* to see, some had concrete suggestions. However, most of the suggestions were centered around pod management rather than public assistance reflecting the priorities of food cart owners. Their suggestions included:

- Grants for those displaced from the Alder pod and/or impacted by COVID-19
- Increased security and safety measures
- Better sanitation services for pods
- Easier licensing procedure (specifically, a singular license that is valid state-wide, as opposed to getting local licenses for locations you may only be going to for a one-time event)
- The ability to cater small events as right now they can only do so from a commercial or commissary kitchen and not from their cart
- A public loan program specifically for food cart start-up costs
- A central, online location for information about food carts from the community itself (particularly for buying and selling of used carts)

Some of these suggestions, though, only came after clarification about what we were asking. Even after reiterating our question, several of our interviewees did not have an answer, seemingly because they were unaware there could possibly be resources available to assist them. They were unable to brainstorm about what they would want. One respondent, meanwhile, did not seem to think it was worth the effort of suggesting potential public assistance or resources, because food cart owners had already been abandoned by the City of Portland: *“The City has nothing to offer us. Permits came so quick for 10th and Alder; a meeting and six months later they already had permits for the hotel, and some of us were very upset. They had no consideration for people like us, 300 people almost out of jobs. They don’t care about us. The City doesn’t care and doesn’t do anything for us.”*

While it is important to incorporate all of the themes gathered in our interviews with food cart vendors in future decision making, it is of particular importance to respond to the fact that food

cart vendors either do not trust the City, or do not view the City as a potential resource for various forms of assistance.

“I’ve never thought about what resources would be useful - that would be a good question for my wife.” - Solomon Tefera, owner of Emame’s Ethiopian

Engagement: Public Agencies

The third component of the engagement plan was to conduct interviews with bureaus representing the City of Portland and Multnomah County. This stakeholder group was last to be approached because ECP wanted to have a stronger understanding of needs and experiences of food cart owners and what resources they felt were available to them before engaging directly with policymakers. Portland holds a unique position as one of the few cities where a type of mobile food unit (food carts) do not need to leave their place of business overnight nor be attached to a commissary kitchen in order to operate. This is because food cart owners have traditionally been active only on private, surface parking lots with very little direct oversight from, or interaction with, city agencies. Besides an initial business permit and a health inspection, carts on these private lots only hear from city agencies for periodic compliance updates, or for health and safety violations and enforcement issues.

In the majority of the interviews there were at least two staff members from the bureau present. The purpose of these interviews was to understand each bureau's future visions for their work and role in the city and how food carts might fit into those visions. It also provided clarity and context to the perspectives held by bureaus regarding the challenges and opportunities around introducing food carts into the right of way. ECP spoke with representatives from 8 different bureaus to gain an understanding of how they engaged with the mobile food vending industry and their perspectives on the future of food carts in the Central City. It is important to note that we were unable to schedule an interview with anyone from PBOT Permitting and Management, which was limiting. In the future, the permitting perspective at the decision-making level is essential when it comes to making any changes to food cart policy.

These bureaus included:

Table with city bureaus and what they oversee and how they interact with food carts

- Portland Bureau of Transportation (PBOT): PBOT is responsible for the development and maintenance of transportation infrastructure in the city as well as the parking infrastructure on public rights of way. PBOT is critically involved regarding the discussion of food carts operating in streets or on sidewalks.
- Portland Bureau of Planning and Sustainability Central City (BPSCC): BPS Central City manages comprehensive land use planning as well as economic development and urban design practices in the downtown area. This includes the development and implementation of the Central City 2035 Plan and the Climate Action Plan. BPS engages with food carts through the planning process as it strategizes over land use and economic activities and policies throughout the city, including recovery.

- Portland Bureau of Development Services (BDS): The Bureau of Development Services reviews land use and development applications and enforces compliance with the City and State Code. BDS is relevant to food carts as private lots where food carts operate are being assessed for development.
- Prosper Portland (PP): Prosper Portland is the economic and urban development agency for the city of Portland. This includes the distribution of loans and grants, ownership of land and properties, and supporting economic and community development projects throughout the region. Prosper engages with food carts peripherally through grants distributed via nonprofits and potentially via site ownership as they own several undeveloped properties downtown. Prosper also is actively involved in economic relief and stabilization activities that may involve food carts.
- Portland Bureau of Environmental Services (BES): Portland BES is responsible for the management of Portland's wastewater and stormwater infrastructure to protect public health and mitigate environmental degradation. BES engages with food carts regarding their wastewater and greywater management.
- Multnomah County Health Department (MCHD): Multnomah County Health has more direct interaction with food cart owners than most other agencies in Portland, which is notable as it is a county-wide, rather than city-specific, agency. They have many resources on their website for starting a food cart business and best practices throughout the start-up process and are the agency that oversees food production licenses.
- Portland Parks and Recreation (PPR): Parks and Recreation oversees the use, operation, and maintenance of the city owned public spaces. PPR's oversight is broken up into sections geographically and by developed and undeveloped lands. The parks in the Central City are considered developed parks, which have amenities and services which may include restrooms, power, and water. PPR engages with food carts around the discussions of operating in public spaces like parks and plazas.
- Portland Mayor's Office (PMO): The mayor's office is comprised of staff that help implement the mayor's policy and regulatory plans. ECP met with staff in the office in order to understand the perspective of the elected officials in Portland's city government. The PMO helps orient the city's priorities and is focused on police reform, addressing houselessness, economic recovery and livability of the city - all areas that overlap to some extent with food cart operations.

These interviews brought clarity to the perspectives that each agency has on the role of food carts in the city. While there was some consensus about the opportunities and assets that food carts bring to the city, Portland's agencies have differing opinions on what the future of food carts will look like, especially in the Central City.

Below are the most prominent themes that spanned across the public agencies that we interviewed:

Food Carts as positive influences on community development

Almost all bureaus agreed that one of the most important and positive aspects of food carts was the low barrier to entry this type of business offered for entrepreneurs to get into the food industry due to relatively low start-up costs. They are an excellent entry point for individuals who either do not have the financing or the experience to open a brick-and-mortar restaurant. This makes food cart businesses an especially appealing entrepreneurial opportunity for immigrant and people of color individuals. Prosper Portland noted how food carts also act as active uses at street-level on what would otherwise be a surface parking lot. When integrated into the streetscape, food carts are a restaurant turned inside out. They activate the street and create a community anchor and gathering space. They bring life and interest to the street in a way that ground-floor retail or restaurants can't without much more significant investment. This can also be an indication of future redevelopment: as the area becomes more activated and interesting from the food carts, the site begins to look more appealing for brick-and-mortar development.

Food carts offer an affordable option for food consumers in areas that may be considered food deserts and, when they are located in pods, they offer an incredible diversity of food and play a role in place-making. In the Central City, food carts also operate as a part of the tourism industry. Travel Portland spends a significant amount of time advertising the food cart pods downtown and hear frequently that many of the hotels downtown like having the food carts in close proximity. Portland's food scene is unique in that it has many small actors, and people travel to Portland specifically for food carts. They also provide "eyes on the street" making areas where they operate feel more welcoming and safe.

"Food carts are a great place-making element. They make Portland a unique and great destination and offer a low barrier to access, especially for immigrants and BIPOC individuals." - P&R

"Food carts turn a restaurant inside out. Very effective for bringing life into the streets." - PBOT P

Lack of consensus of how to incorporate food carts into public spaces

The discussion around food carts entering the right of way has been contentious over the past few years among Portland bureaus. With no other examples of semi-permanent microbusinesses using right of way space for operations in other cities, Portland would be the first to incorporate food carts into the right of way. However, the transition from surface parking lots to on-street parking is not as intuitive or straightforward as it may seem. Both supporters and detractors of the idea have strong opinions and questions about its efficacy. "It's going to be another 15-20 years before all of the surface lots are redeveloped, but where are we going to allow the food carts to be? We have to find out how to put them in the ROW", even if it is more complicated (BPSCC). This same pro-street sentiment was expressed by PBOT Planning, with an acknowledgement that there are significant barriers to actually implementing it. One of the biggest issues with carts is that they need external utility access, which requires infrastructure like water, electricity, and wastewater. For some agencies, this makes food trucks, food units that are completely self-contained and non-permanent, a more appealing option. Trucks can

come with their own issues, namely that they generally can only operate for up to 4-hours at a time and require a commissary kitchen in order to prepare most of their products. Trucks also have significantly more restrictions on the types of foods that they can prepare due to the reduced infrastructure that can be built into them. At the time of this report, food trucks are not permitted to operate in downtown Portland.

Regulating food carts on public property, whether that property is a street, a park, or another public space, involves one or more agencies that have regulations set up to handle very different land use requests. Almost none of them have specific regulations for addressing food carts. Additionally, since there are no standardized dimensions for food carts, it is difficult to design streets and spaces to incorporate carts.. Standardization can be helpful, and it is important to still allow for the creativity and “do-it-yourself” aesthetic that people love about food carts. There is also an equity consideration when the City requires a certain type of cart or trailer as some vendors have already invested significant time and money in building their cart to suit their needs and preferences. Requiring a specific model of trailer will make some of these existing carts unusable in the public spaces while also increasing the start-up costs for new carts, especially as we emerge from the pandemic .

The city has an opportunity to pilot new ways of working with food carts in the ROW, and potentially engage in consensus building, through the distribution of Healthy Business permits which have been issued in response to COVID-19 health mandates. Brick-and-mortar restaurants have easily been able to apply for a permit for seating that extends into the ROW. BPS Central City has not seen any issues with decks being built into the ROW when it is serving these brick-and-mortar restaurants, and these decks are not required to go through a design review process. With the implementation of outdoor seating being one of the ways to help restaurants stay open during COVID-19, “the uses for curb zones have loosened over the last year, and this might be something that could help food carts too” (PBOT). If brick-and-mortar restaurants are able to use the ROW in this manner, and feedback has generally been positive, then there is an opportunity for food carts to similarly expand their operations into ROW settings.

Cross-bureau collaboration is slow, and can be tense

One of the biggest challenges around creating regulation for food carts in public spaces is that the “structure of the city government makes [cross-bureau] communicating challenging” (MO). Each bureau has a working relationship with at least one other bureau where their oversight overlaps or intersects in some way. This creates helpful and productive cooperation between bureaus, but it also means that there is more at stake when there is a disagreement. Another challenge to forging strong cross-bureau relationships has been the regular turnover of elected commissioners and the differing priorities of bureau leadership meaning efforts to bring food carts into the public spaces has often fallen by the wayside when there is no one ‘championing’ its cause to keep the discussion moving forward. ECP heard from several bureaus that the City Council has wanted to get the Ankeny West pod up and running as a pilot project, but that there have been regulatory challenges around which bureau oversees what aspects for this type project as it intersects with a number of different jurisdictions and no one has seemed to want to

take this discussion on. This is new territory for locating food carts, permanent carts “has never been done in the whole country” outside of private lots (PBOT M&P).

There has been widespread support for getting staff from the different bureaus “to the table”, but bureaus have also not wanted to risk the degradation of park, ROW, and plaza space from poorly run pods by rushing into things. “Part of the dilemma is that Parks manages parks, and PBOT manages streets and there are some places where they overlap” (PP). There are also differences across bureaus financially and where their priorities lie. With some bureaus currently experiencing significant budget cuts and struggling to maintain their operations and management of their existing infrastructure and lands, it is an uphill battle to advocate for the addition of complicated projects.

The pods downtown that exist on surface parking lots have tended to be the most poorly equipped pods throughout the city to operate within compliance due to the lack of investment by the property owners and/or operators. This is because the owners see their presence as a temporary use until the property has a proposed development and can be sold to a developer. This has led to a reputation associated with downtown food carts that they are not well run due to poor waste and environmental management. However, the “pods that are actually professionally managed are actually compliant and are in line with everything” (PBOT).

City bureau leaders are responsible for considering the impact of policy and regulation changes and the ripple effects they might have throughout the city and existing systems. When discussing the possibility of food carts operating in parks, this includes hundreds of parks of varying sizes with ranging levels of development: from completely unmanaged forest lands to highly manicured, amenity-rich public spaces that more closely resemble plazas. There are also many safety considerations to be made when discussing adding a commercial service to parks and the ROW. There are also concerns about exposed utilities being unsafe and unwelcoming to people walking around. These are the types of issues that city leaders have to take into consideration when discussing regulation changes in order to mitigate unintended consequences.

Regulating food carts is REALLY complicated

Food carts can be hard to describe to someone who has never seen one before. They exist in a grey area somewhere between a car and a building, with examples spanning the full spectrum. This makes it very challenging to create a standard for how they can operate in the public space. When food carts first appeared in downtown Portland, there were no standards for how they were built or whether they could move around on streets because they were never meant to move. They were on wheels in order to be considered ‘mobile’ and not a building, but that is where their similarities with vehicles ends. Many of the carts that were built in this first generation of carts more closely resemble sheds or tiny homes, complete with shingles on the roof in some cases. These carts were not built to be towed or relocated on a regular basis, they were meant to stay in one place and operate for as long as they were able. Carts like this were built by hand, usually by the owner, and were fitted to their specific spot in the pod. Newer carts

have improved upon some of the early models, with aluminum framing and compact fittings to allow for easier transport.

Examples of these more enclosed models operating on public property already exist, although the locations are extremely limited and specific. The carts at Pioneer Courthouse Square, which are run by Pioneer Square Management, are heavily curated and even these carts are not technically allowed to be there according to BPS Central City. “The carts in Pioneer Square or at Oregon Historical Society are totally illegal. We have to change a lot of code to make it happen. Because we’ve been generous in calling carts a vehicle, we have to change how we designate them ” (BPSCC).

Another consideration is the creation of wastewater. Food cart vendors need to wash their hands, and that water is not considered greywater, it is wastewater. Wastewater cannot go into storm drains or be disposed of the way greywater is disposed of - it needs to be taken by a licensed wastewater hauler to be properly disposed (BES). Many of the older, downtown lots, have managed their wastewater by storing it in 275 gallon bins and paying to have it hauled away. Many newer food cart pods have been started with long-term operations in mind and have provided utility and wastewater hookups for carts, greatly reducing the risk of wastewater spills. A study performed by the Bureau of Environmental Services found that food carts that do not have wastewater disposal on site use $\frac{2}{3}$ of the water that pods with sewer connections use. This indicates that these pods are being more frugal with their water consumption because their wastewater storage is a scarce resource. This may also mean that these pods are less hygienic because utensils and hands may be getting washed less frequently to save space and water. Pods with fewer amenities are much more common in the Central City where food carts first began to pop up on surface parking lots. For the downtown property owners, the carts are seen no differently than a car permanently parked in the stall and are not being provided any additional utilities without paying for it. In some cases, cart owners are having to pump water into their carts themselves, which is not very hygienic, and they may not have access to garbage services. “I think it’s mainly that the landlords have chosen not to [provide utilities], since they were some of the first [pods] there wasn’t much of a template. City Center Parking* was pretty frank about the fact that they weren’t interested in doing a lot of investment in their downtown surface lots because they want to redevelop them eventually” (BES).

**ECP attempted to interview City Center Parking but did not receive any responses to the request*

Survey Engagement

ECP conducted its survey engagement for four weeks from April 19, 2021 to May 17, 2021. The 35 question survey was targeted at mobile food unit vendors located in Oregon with the intention of gathering information on the challenges their business faced in the midst of a global pandemic and what support their businesses need to assist in recovery post pandemic. The survey was distributed to an email list provided by Keith Jones of Friends of Green Loop and to a Facebook group page of the Oregon Mobile Food Association, which has over 500 followers. The email list provided by Keith Jones were vendors who only operated in the Portland area. The Facebook page of the Oregon Mobile Food Association had vendors from different regions

of Oregon. ECP included a geographic identifier in the survey by asking respondents to include their primary zip code where they operated their unit. The intention was that we would be able to identify trends between different regions of the state. As a result of the COVID-19 pandemic, ECP made the decision to focus survey engagement in an online format only. The anonymous survey was designed and distributed through Qualtrics XM. To promote involvement in the survey, participants had the option to enter a raffle for a \$20 gift card to Fred Meyer. The survey contained both open-ended and multiple-choice questions. Questions with multiple choice options also allowed for write-in responses, while some allowed for more than one response

Unfortunately, ECP only received 14 responses during the engagement window. Due to the limited number of responses, ECP did not weigh data from the survey heavily in its policy recommendations. However, there are themes ECP identified from the survey engagement that align with themes pulled from our food cart owner interview engagement, especially in relation to the effects of the Covid-19 pandemic on the health of their business and their recovery efforts.

Identified Themes

It's important to reiterate that statistical data from this survey is not significant. However, trends identified from the results do provide the opportunity to ask questions about policy that can benefit mobile food unit vendors. Below is a list of themes that could potentially be explored in further research.

ECP asked respondents to detail challenges they have faced since the beginning of the COVID-19 pandemic. The following are responses from vendors:

- *"It has been hard to get situated again after the loss of our original spot. With the addition of COVID and language barriers, reopening has been extremely difficult. We cannot find resources and are not sure where to start. We are afraid of taking loans because of the language barriers, etc."*
- *"The challenge began as the downtown food cart location closed, since then it has been hard to find a location as busy as downtown Portland. Then the pandemic happened and that just caused me to close."*
- *"Just a lack of foot traffic has made us rely more on apps like uberEats and GrubHub which takes a big percentage of the revenue"*

ECP asked respondents what kind of support would help their business thrive. One respondent stated *"Networking with others, kitchen facilities that can be accessed/used without exorbitant costs. Marketing of food carts by governmental tourist/visitor agencies"*. A few others mentioned that parking facilities for customers near the operating location of their unit would help their business thrive.

In interviews with food cart vendors, leasing space for a car on a month-to-month lease was a concern. 8 of the 14 respondents indicated that they were on a month-to-month lease. While the

short-term lease provides flexibility, it also creates instability for the food cart owners who don't know if they'll be allowed to operate at the same location the following month.

Insert Chart

9 of the 14 respondents indicated that additional loan programs would help them in post pandemic business health recovery efforts

Insert Chart

12 of the 14 respondents claimed they experienced a significant loss of revenue in 2020 compared to 2019.

Insert Chart

Ideally, the above themes can be explored with more in-depth surveying, both online and in person. ECP hopes that the survey it formulated can be modified and used in additional research that will benefit mobile food unit vendors. A copy of the survey is attached to the appendix of this report.

POLICY ANALYSIS

Case Studies

In 2018, the U.S. Chamber of Commerce commissioned a report to evaluate the role of mobile food units across the country. The resulting report was titled *Food Truck Nation* and it examined 20 cities and what approaches they took to regulate and oversee mobile food units in their streets. Additionally, the report interviewed over 280 mobile food vendors to get their perspective on how their city's regulations were positively or negatively impacting their business. The information gathered was compiled into an index, with scoring generated across three domains: accessing permits, complying with regulations, and operating a business. Finally, these cities were ranked using their scores to determine which cities were most friendly towards mobile food units.

This report reveals the impact of policies on mobile food vendors. it notes that "*Cities do not necessarily allow or ban food trucks. Rather, they determine rules over how, where, and when food trucks may operate that, in aggregate, often represent sizable barriers to entry. Regulations govern every phase of a food truck's life, from startup to operation and compliance*⁵¹." With this in mind, ECP chose four of the cities from the report to explore in more detail to understand why they scored well, or poorly, in the various categories. The four cities chosen (Seattle, Boston, New York, and Denver) were selected because of shared characteristics they have with

⁵¹ U.S. Chamber of Commerce Foundation Food Truck Index. "Food Truck Nation". March, 2018, Page 11. <https://www.foodtrucknation.us/>

Portland, including location, size, or identity and also because they represented samples from the full scale of the ranking index.

Portland was among the cities cited in the report and secured first place as most friendly overall largely due to the incorporation of food carts into Portland's identity with widespread support from government stakeholders. However, Portland ranked 8th in the permits and licenses category, highlighting the importance of this project's objective in providing policy recommendations⁵². The report notes that permitting and licensing encompass five broad areas: administrative, health/food safety, vehicle requirements, employment, and zoning⁵³. The main challenges noted by Portland vendors were the fee pricing, which was viewed as too high, and some operational requirements, such as excessively large water tanks, that they believed were unnecessarily burdensome⁵⁴.

A key observation that the report failed to address was the difference in type of mobile food unit employed in Portland as compared to elsewhere. Most of the cities examined had developed policies focused on traditionally mobile food units, such as food trucks or push-carts, which can be easily moved several times within one day, whereas Portland's culture of food carts tends to be semi-permanent, requiring significant effort to relocate carts. As a result, many of the insights and recommendations produced by the report are not directly applicable to the context of Portland, although there are still relevant policies and lessons that Portland can build on. Additionally, most of the cities highlighted in the report tended to shy away from placemaking strategies around mobile food units by limiting the proximity in which they could operate next to one another. This is notably different from Portland's pod approach which is centered around bringing a number of food carts together to create mini-destinations (pods) throughout the cityscape. The other consideration that must be acknowledged is that the majority of food carts in Portland operate on privately-owned parking lots as compared to most other cities that center trucks and allow them to operate in public spaces along streets. Therefore, the purpose of these summarized case studies is to evaluate what is working well and what approaches have failed in fostering an environment that is conducive to mobile food vendors wanting to work in public spaces and the right-of-way and how they might be applied to the context of Portland.

Key Findings & Potential Best Practices

The key takeaways from each of the four cities are detailed below. The compilation of these findings and how they may be used to influence future policy and permitting are summarized here:

- **Key Findings:**
 - Most cities have standardized the sizing and dimensions for mobile food units operating in the right-of-way.
 - Most regulation is towards mobile trucks with the assumption that they will be moved daily rather than semi-stationary carts.

⁵² Ibid. pg. 17

⁵³ Ibid. pg. 22

⁵⁴ Ibid. pg. 34

- Non-competition regulation prohibiting mobile food units from operating near permanent restaurants and one another is a standard practice for most cities.
 - Commissary kitchens are either a requirement, or strongly recommended, restricting mobile food units from preparing food at their vending site.
 - For mobile food units that are operating without a commissary kitchen, there are additional requirements to maintain hygiene and safety.
 - None of the case studies highlighted below focused on placemaking strategies centered around mobile food units, although some emphasized the importance of community integration.
- **Potential Best Practices:**
 - Cities should provide centralized resources, such as one compiled website with necessary links to guide vendors on how to apply for permits, submit fees, and adhere to operational requirements.
 - Requiring a strong business plan to be submitted for permitting may be challenging for some vendors (i.e. non-native English speakers), .
 - In urban areas with multiple jurisdictions and bureaus, a coordination office may help streamline the permitting process, making it easier for the city to oversee and also reduce barriers to entry for potential entrepreneurs.
 - Consistency in regulation enforcement will reduce uncertainty for vendors, while also ensuring they are not being cost-burdened to make changes every few months to meet new requirements.
 - Cities need to make an effort to find the equilibrium between supply and demand of mobile food unit permits or they will miss out on potential revenue streams, lack adequate oversight, and create a gap to be filled by illegal transactions.

Seattle - Unfriendly

Seattle Key Takeaways:

- Seattle maintains a clear and easy-to-use website that allows vendors to find the permits they need to open and operate their carts and trucks.
- The consolidation of permits between the multiple City and County agencies would reduce the amount of time it takes to receive permits.
- Seattle’s regulation creates an environment where only mobile vending is a realistic option, which does not translate to the semi-permanent carts that are commonly found in Portland.

The *Food Truck Nation* report lists Seattle, Washington among the strictest cities in the country for permitting involved in becoming a mobile food vendor⁵⁵. First, there are multiple public agencies throughout the city from which potential vendors are required to obtain permits in order to operate and many of these agencies require fees to process and approve the permits.

⁵⁵ U.S. Chamber of Commerce Foundation Food Truck Index. “Food Truck Nation”. March, 2018, Page 49. <https://www.foodtrucknation.us/>

Second, these agencies have established a number of parameters that limit the potential uses of the mobile food unit. For example, preparation of the food on site (i.e. in the truck itself) is strictly prohibited, which requires the vendors to prepare food in commissary kitchens where they can be charged upwards of \$1,250 per month. This restriction greatly reduces the flexibility of locations afforded to this type of mobile food unit as they are bound to being near areas with access to these types of kitchens rather than being truly mobile⁵⁶. Finally, beyond these financial and logistical barriers placed on budding entrepreneurs, there is a significant time hurdle to overcome. The permitting process can be lengthy and delays can happen if a step in the ordered procedures is missed, with some applicants noting it could take as long as 8 weeks to receive their permits.

Despite this multilayered bureaucracy, the City of Seattle's website does provide clear visual aids and checklists that can be followed when applying for a mobile food unit permit. These materials assist prospective food cart owners by removing some of the ambiguity around the process of obtaining permits and where to send the applications and fees. However, upon reviewing the supplied checklists, it's apparent that Seattle has chosen to oversee mobile food units through the use of significant regulation, creating a disconnected and disorganized system. There are at least four different agencies that require a permit for food vending, such as the public health department and the fire department, with processing timelines ranging anywhere between 2 and 8 weeks⁵⁷. Each of these agencies has a different set of requirements and locations to send the permits and fees, creating a complex and convoluted process to opening a mobile food business⁵⁸. This is further complicated by the Seattle Department of Transportation's street use permitting process which varies depending on if the cart is intending to operate on a curb temporarily, semi-permanently, or seasonally⁵⁹. Additionally, depending on the proposed site of a permanent or semi-permanent food cart or truck, the Seattle Department of Construction and Inspections may also require another permit. Exceptions to this type of permit stipulate for the unit to not be left at the location overnight, have permission from the property owner, be located at least 50 feet away from a residential zone, and be located in an area used for parking⁶⁰. The combination of these aspects severely restrict where, how, and when a mobile food unit can operate throughout the city.

Seattle does have several designated food-vehicle zones which allow vendors to apply to be temporarily located along a curb or in a parking space for up to a year. However, the permit only allows for the vendors to occupy these spaces in 4 hour increments, meaning they are unable to leave their food unit, such as a cart or truck, at the site⁶¹. For a paid parking stall, the fees start

⁵⁶ Ibid.

⁵⁷ Seattle Economic Development. "Mobile Food Vending Checklist". [http://www.seattle.gov/Documents/Departments/economicDevelopment/restaurants/Mobile_Food_Vending_Checklist%20updated%20Parks%20info\(0\).pdf](http://www.seattle.gov/Documents/Departments/economicDevelopment/restaurants/Mobile_Food_Vending_Checklist%20updated%20Parks%20info(0).pdf)

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Seattle Department of Transportation. "How to Estimate and Pay Permit Fees". https://www.seattle.gov/transportation/permits-and-services/permits/how-to-estimate-and-pay-fees#PS_V_end

at \$478 dollars for the year, which gives the vendor one 4-hour window on one day of each week - i.e. every Monday from 10am-2pm. Therefore, if a vendor wants to be open 4-hours a day every day of the week, they are looking at a permitting fee of \$3,346 per year. For a non-paid stall with the same number of hours, this fee drops to \$104 per 4-hours, or \$728 per year. This may be viable for a mobile cart that is easily able to leave the site each day and only wants to be open 4-hours a day, but when considered from the perspective of a permanent food cart these fees would become significantly higher. For example, to have pay for 24-hrs a day, all week, the paid spot fees would reach \$20,076, or \$4,368 for a non-paid spot⁶². The regulations adopted to oversee mobile food units have been designed to limit their presence to only a few hours a day, in very specific areas. The lack of standardization in permitting across the agencies has created a bureaucratic environment that is unfavorable towards most street vendors, but especially food units, whose business model is structured around semi-permanent locations.

Boston - UnFriendly

Boston Key Takeaways:

- Over regulation can create more work for both the city and vendors, increasing the cost of opening and operating a cart and city costs to provide oversight and processing.
- Overly burdensome requirements mean vendors need to spend more time and money passing permits and less time operating.
- Reducing the number of spaces that can have food carts creates a competitive environment amongst cart owners and “no competition” regulation limits viable locations.
- Food cart zones are a helpful way to organize places to operate within the city, but also creates more competition for vending locations.
- Boston pushes the costs of regulation onto the vendors, increasing the financial barrier to entry while also requiring additional documents such as a business plan and environmental sustainability statement.
- The requirement of complex business plans may deter or block some would-be food cart operators from entering the market.

In order to obtain the necessary approvals to launch a mobile food unit, the City of Boston requires up to 22 distinct interactions with different regulators, with over 30 procedures, making it the most difficult city for mobile food units to navigate out of the twenty cities evaluated by the *Food Truck Nation* report⁶³. The number of agencies involved in the process, each with a service fee, has made Boston one of the most expensive cities for a mobile food unit to operate. These service fees range from standard licensing, to more nuanced aspects such as that vendors must rent a GPS unit from the city’s preferred vendor (\$299), allow that vendor to install the tracking unit (\$89), and pay the monthly subscription fee (\$35) to that vendor resulting in over \$800 spent in the first year of operations to a non-city organization. This highlights a significant challenge faced by mobile food vendors in Boston as the vendor is required to contact multiple affiliated agencies, which creates a complicated bureaucracy.

⁶² Ibid.

⁶³ U.S. Chamber of Commerce Foundation Food Truck Index. “Food Truck Nation”. March, 2018, Page 53. <https://www.foodtrucknation.us/>

Even when all the permits are approved, mobile food units are faced with significant location restrictions as they are not allowed to operate within 100 feet of a competing business, which is loosely defined allowing room for restaurants or other businesses to challenge their placement⁶⁴. Additionally, the city has designated three specific zones where mobile food units can operate, but has adjusted their payment into a tier-structure with Zone 1 being the most desirable location as it is in a 'high-traffic' area such as around the city hall. To access this first zone, food vendors must pay a fee that is two-and-half times higher than the third (least desirable) zone and even then, they are constantly competing to access the limited number of spots as they are lotteried every year. Finally, it is not a flat, yearly, rate, but is instead based on the number of shifts worked, meaning the more time spent in that zone, the more the fee increases⁶⁵. The *Food Truck Nation* report estimates that "a food truck operating only at lunchtime Monday through Friday in the least popular zones of Boston faces yearly costs of \$14,400" while operating in the most popular zones could see yearly city costs exceed \$17,000⁶⁶. Despite these obstacles, the Boston Business Journal noted that there were over 80 food trucks operating throughout the city⁶⁷.

Another unique characteristic of Boston's approach to regulating mobile food units is the requirement for a very detailed business plan that the city "recommends", including content addressing seven different areas. These include aspects such as what makes their food unit unique, how it relates to the city's overall diversity strategy, and how they intend to engage the local community around where they operate. There are also operational considerations such as where they intend to prepare the food (commissary kitchens) and site-specific details for each location they intend to operate explaining where staff will use the restroom, where customers will line up, how the site will be kept clean, and how they will ensure that they will not be blocked in by other vehicles. There are also mandates around menu options for both food and beverage items. For food, the vendors must submit a menu that has at least one "healthy option". This option has clearly defined criteria, but may put a burden on the vendors to alter their menu in order to meet it and keep certain items available even if there is low customer-demand. The healthy menu option must include a dish that includes at least three of the following options: fresh or packed fruit with no added sugar, fresh or frozen vegetables with no added salt, a low-fat dairy option such as yogurt, or some type of whole grains, and all these options have very specific quantity minimums⁶⁸. While the intention on the part of the city is likely to

⁶⁴ U.S. Chamber of Commerce Foundation Food Truck Index. "Food Truck Nation". March, 2018, Page 53. <https://www.foodtrucknation.us/>

⁶⁵ City of Boston, "How to Apply for a Business Certificate", March 12, 2021. <https://www.boston.gov/departments/city-clerk/how-apply-business-certificate>

⁶⁶ U.S. Chamber of Commerce Foundation Food Truck Index. "Food Truck Nation". March, 2018, Page 53 & 23. <https://www.foodtrucknation.us/>

⁶⁷ Harris, David. L. Boston Business Journal, "Boston is the most challenging food truck city, new report says." Mar 21, 2018. <https://www.bizjournals.com/boston/news/2018/03/21/boston-is-the-most-challenging-food-truck-city-new.html>

⁶⁸ City of Boston, "How to Get a Hawker and Peddler License", July 2, 2019. <https://www.boston.gov/departments/small-business-development/how-get-hawker-and-peddler-license>

encourage healthy dietary choices, the requirement of submitting a static menu limits vendors to only preparing the approved menu and requires additional city contact for any menu changes⁶⁹.

The most noteworthy part of Boston's mobile food unit oversight is their easy and intuitive online interface found via the city's website⁷⁰. Each step in the process is clearly laid out with helpful links and clear descriptions of what is needed to complete the various applications. By outlining the process in a central location, vendors can easily navigate to affiliate websites to submit their applications and mitigate any ambiguity. However, it does not reduce the cost of these permits nor does it lower any other barriers to entry.

New York City - Friendly

New York Key Takeaways:

- The application process for New York is being improved by increasing the number of permits per year for the next 10 years, but the system has been functioning poorly for so long it is hard to know how long it will take to see a reduction in the market of second-hand permits. This second-hand market costs the city potential revenue sources.
- New York's online resources are robust and provide great visual aids for vendors. The documents are lengthy, but provide a sufficient amount of detail.

New York City ranked in the middle of the *Food Truck Nation* report out of the twenty cities evaluated mostly due to its generally lower-costs to entry⁷¹. However, this is somewhat misleading as the city set caps on the total number of mobile food unit permits in the 1980s, with only 2,900 year-round licenses, and an additional 1,000 seasonal licenses⁷². It is interesting to note that New York City made an attempt to prioritize equity considerations by reserving 100 permits of the 2,900 to be given to applicants that are veterans or who have a disability⁷³. For a number of years applicants were placed on a wait-list, but this process closed in 2007 due to the high volume of applicants⁷⁴. This number of permits is a relatively modest number compared to the size of New York City and has led to the creation of a "black market" for obtaining vendor permits as prospective vendors look to purchase permits from existing vendors. Some vendors reportedly pay as much as \$20,000 dollars every two years via this circumnavigation for a vending permit, which is almost 100 times more than the cost of receiving one from the city.⁷⁵

⁶⁹ City of Boston, "How to Get a Hawker and Peddler License", July 2, 2019.

<https://www.boston.gov/departments/small-business-development/how-get-hawker-and-peddler-license>

⁷⁰ City of Boston, "How to Apply for a Business Certificate", March 12, 2021.

<https://www.boston.gov/departments/city-clerk/how-apply-business-certificate>

⁷¹ U.S. Chamber of Commerce Foundation Food Truck Index. "Food Truck Nation". March, 2018, Page 42. <https://www.foodtrucknation.us/>

⁷² Department of Health and Mental Hygiene. "Rules and Regulations for Mobile Food Vending", June, 2017. <https://www1.nyc.gov/assets/doh/downloads/pdf/rii/rules-regs-mfv.pdf>

⁷³ NYC Health. "What mobile food vendors should know", October, 2017. Pg. 6.

<https://www1.nyc.gov/assets/doh/downloads/pdf/rii/regulations-for-mobile-food-vendors.pdf>

⁷⁴ David Gonzalez, New York Times. "\$20,000 for a permit? New York may finally offer vendors some relief", January 30, 2021. <https://www.nytimes.com/2021/01/29/nyregion/street-vendors-permits-nyc.html>

⁷⁵ Ibid.

Markets tend to be dictated by supply and demand, and by capping the supply of permits, the city has driven vendors to pursue these alternative methods at increasingly high costs. Many vendors view this as the only means to operate, even if illegal, as there is no longer a waitlist and the number of available permits has not increased. Despite these incredibly high prices, many would-be food vendors still view it as a viable option as compared to opening a traditional brick-and-mortar restaurant which may cost even more. Recently, New York City did announce that they will be increasing the number of permits by 400 for each year over the next decade, essentially doubling the number of permits while also creating a cross-bureau office to provide oversight⁷⁶. While this may lead to a reduction of black market purchases, it may lead to an increase in permitting fees. Apart from the issues created by the use of a capped-permit system, New York's system is fairly straightforward for those vendors who attempt to pursue a legal permit, although the likelihood of being approved is low due to the limited quantity available.

For those vendors fortunate enough to get their hands on a permit, they are still faced with a number of other operating challenges, particularly in regards to the design and size of their unit and where they can be located. New York has a standardized sizing chart that limits mobile food carts to a maximum of 10 feet long and 5 feet wide, although food trucks are allowed to be larger but must comply with statewide motor vehicle laws. Some food can be prepared in the mobile food units, but all units are required to be stored and cleaned at a commissary location which cannot be the vendor's home and the majority of food preparation must take place at these commissary locations⁷⁷. Furthermore, there are specific regulations on where units can operate in the right-of-way as well as on the sidewalk⁷⁸. For example, no food truck can operate in a metered parking spot, meaning much of the city's main, downtown streets are off limits. Additionally, they must be 10 feet from any crosswalks and 20 feet from building entrances, further reducing the areas they can operate. Fines are regularly issued for infringements on these spacing parameters and are viewed as a regular cost of doing business by most operators. Food carts and push carts can only operate on sidewalks that are 12 feet or larger, and similarly cannot be within close proximity to building entrances or crosswalks. There is no readily accessible map of legal food cart and push cart locations.

Similar to Seattle's permitting, New York's regulations favor highly mobile food trucks as opposed to semi-permanent uses of a parking space by a food cart, especially because neither city allows for these food units to be left at the site overnight. These types of restrictions prohibit the mobile food units from creating some level of permanence or placemaking and do not allow for the addition of tables or chairs for customers to use while eating.

Denver - Friendly

Denver Key Takeaways:

⁷⁶ Ibid.

⁷⁷ NYC Health. "What mobile food vendors should know", October, 2017. Pg. 17.
<https://www1.nyc.gov/assets/doh/downloads/pdf/rii/regulations-for-mobile-food-vendors.pdf>

⁷⁸ NYC Health. "What mobile food vendors should know", October, 2017. Pg. 22.
<https://www1.nyc.gov/assets/doh/downloads/pdf/rii/regulations-for-mobile-food-vendors.pdf>

- Vendors benefit from concise guides that show the permits and licenses needed for different types of carts and spaces.
- Providing clear maps showing how non-competition regulation impacts viable locations assists vendors in understanding where and when they can operate.
- In areas where there are multiple types of mobile food units, it is necessary to have clear distinctions of which regulations affect which different types of units.
- Regulations for most urban areas tend to favor highly mobile trucks using commissary kitchens over stationary carts with the ability to prepare food on-site.
- Regulations that are city-specific, rather than metro-wide, create obstacles for mobile food vendors who are trying to move between different jurisdictions.
- Changing policies can be a significant cost burden to existing vendors to modify their units to meet new standards.

The *Food Truck Nation* report ranked Denver as the second most friendly city (after Portland) to open and operate a mobile food unit because it requires the least amount of procedures, fewest visits to city offices, and remaining in compliance once operating is fairly straightforward⁷⁹. However, similarly to the other cities examined in these case studies, Denver tends to favor highly mobile businesses rather than semi-permanent ones when it comes to food vending in public spaces. Policies adopted by Denver mirror those of other cities, such as the restriction of only being able to operate for 4-consecutive hours in a zone, as found in Seattle, and not being able to operate within 200 feet of any direct brick-and-mortar competition, such as in Boston⁸⁰. Denver has restricted mobile food vendors from operating within 300 feet of a park and has completely blocked access to several of the most highly trafficked downtown streets, both areas where mobile food units tend to thrive⁸¹. Other policies restrict mobile food units by not allowing them to occupy the same space with rules such as only 1 truck per zone lot, including privately-owned lots, and not being able to operate within 200 feet of one another which prevent place-making initiatives that these business might pursue by trying to work together⁸².

Another obstacle mobile food vendors face in these larger urban areas is the city-specific regulations, making it challenging for them to actually be mobile and visit surrounding areas. Food vendors in Denver specifically noted that it was quite difficult to be informed and up-to-date on all the policies for each specific jurisdiction⁸³. This type of challenge presents a unique opportunity for the City of Portland with its metro-style form of government meaning that some policies could be adopted at a metro-wide level, allowing more flexibility for mobile food vendors to visit different city jurisdictions. However, this also is somewhat contrary to the style of

⁷⁹ U.S. Chamber of Commerce Foundation Food Truck Index. "Food Truck Nation". March, 2018, Page 35. <https://www.foodtrucknation.us/>

⁸⁰ City and County of Denver. "Food Truck Guide", March, 2017. Pg. 3. <https://www.denvergov.org/content/dam/denvergov/Portals/747/documents/permits/food-truck-guide.pdf>

⁸¹ U.S. Chamber of Commerce Foundation Food Truck Index. "Food Truck Nation". March, 2018, Page 35. <https://www.foodtrucknation.us/>

⁸² City and County of Denver. "Food Truck Build Guide", December, 2018. Pg. 3. https://www.denvergov.org/files/assets/public/business-licensing/documents/food_truck_guide.pdf

⁸³ U.S. Chamber of Commerce Foundation Food Truck Index. "Food Truck Nation". March, 2018, Page 35. <https://www.foodtrucknation.us/>

mobile food units adopted by Portland which tend to be more semi-permanent in nature and would not necessarily benefit from metro-wide policies as much as truly mobile units would.

The City of Denver has online materials explaining how to open and operate a mobile food unit which are intuitive and detailed. The instructions provide online links to assist vendors in navigating the appropriate bureau websites to apply for the necessary permits. Another resource that Denver provides is a detailed list of requirements for what equipment the unit must have in order to safely operate⁸⁴. This includes water and electrical infrastructure as well as cleaning equipment, and storage. The guide also has a checklist at the end of the document for vendors to reference in ensuring that they meet the established criteria. Although there is also a preference for mobile units to use commissary kitchens, Denver does provide a list of additional requirements for self-sufficient vehicles which are able to store and prepare food “in-house,” or at the vending site⁸⁵. Despite these detailed lists, there has been some frustration expressed by mobile food vendors regarding the new safety policies established by the fire department which require updated fire-suppression systems and specify the type and size of gas lines and propane tanks the units can have installed. Although these criteria were established to improve safety, they have put a financial burden on existing vendors and are not enforced in a consistent manner⁸⁶.

Core Recommendations for Policy Makers

ECP has outlined 12 recommendations, including two core recommendations which are outlined below. The core recommendations should be the top priorities for the City of Portland to implement immediately. The rest of the recommendations also apply to the City, and can be phased in longer term.

Core recommendation #1:

Create a position to act as the liaison between all City bureaus for food cart policy making, as well as a working group to encourage collaboration.

Time Frame: Near-term

Key Stakeholders: As citywide policy makers that collaborate between multiple bureaus and their roles within public and private spaces, BPS is well poised to take on the role of coordinating this process. This “food cart czar” could potentially be housed in the Mayor’s Office, although could risk becoming politicized or removed should priorities change or terms end. Prosper could also act as the liaison, although as a more direct stakeholder by owning developable land and providing grants, there could be a risk for conflict of interests. The centralization of the food cart regulation and resources will require a working group with

⁸⁴ City and County of Denver. “Food Truck Build Guide”, December, 2018. https://www.denvergov.org/files/assets/public/business-licensing/documents/food_truck_guide.pdf

⁸⁵ Ibid.

⁸⁶ U.S. Chamber of Commerce Foundation Food Truck Index. “Food Truck Nation”. March, 2018, Page 35. <https://www.foodtrucknation.us/>

representation from many of the bureaus, as well as input from community organizations and food cart owners.

Description: Many of the bureaus that ECP met with stated that they felt that they wanted to support food carts through clear regulation and planning, but did not have the capacity to take the lead. For many of the bureaus, taking the lead was a financial and operational task beyond their current capacity. Additionally, the cross-bureau collaboration between some of the bureaus involves paying different bureaus for support and complicating these relationships with another agency may create further tension.

Option 1: ECP recommends that BPS hire a Food Cart Policy Liaison or "Food Cart Czar" that serves as an intermediary between agencies, bureaus, and food cart owners to build consensus around regulation. This position will also develop a central online hub for all of the required documents for starting a food cart and a food cart pod. This position will help reduce regulatory gaps and overlaps by creating consistent and clear rules about permitted and unpermitted spaces and design features for food carts. The complexities of regulating food carts are only going to grow as surface parking lots are consumed by new development. If Portland wants to continue to have food carts downtown, Portland will need to plan for them.

Option 2: ECP also recommends convening a working group with members of BPS, BDS, BES, Parks, and Prosper. This group would meet quarterly to discuss challenges and opportunities with food carts in Portland, and be a resource for food cart owners. Many food cart owners ECP spoke with did not know who to turn to within the City for assistance. This work group would represent a diversity of City bureaus, as well as languages, races, and cultural backgrounds. The liaison will eventually be the main facilitator and coordinator for this group. Until that position is filled, BPS should coordinate.

Quotes:

"Food carts in parking lots tend to be a good indicator of redevelopment. If we could find a way to get them in parks and plazas, that would be great." -BPSCC

"Part of the dilemma is that Parks manages parks, and PBOT manages streets and there are some places where they overlap. There are differences across bureaus financially and also where they want to make changes. When we talk about the public realm, it is in fact held by the bureaus and they don't have any singular policy for how they use their assets and a business activation is not in their 'sweet spot.' We would be asking them to pivot and think about their spaces differently. There are operations and maintenance considerations over time." -PP

Core recommendation #2:

Create an inventory of potential food cart sites with the lot information and desirability criteria in order to mitigate displacement issues.

Time Frame: Near-term

Key Stakeholders: This strategy would require a multi-bureau collaboration, or an intergovernmental agreement, to be successful. Key stakeholders would include Prosper for site ownership and oversight, BDS for zoning, PBOT and Parks for right-of-way and park space respectively, BES and MCHD for site conditions, and BPS for identifying sites and the long-term vision.

Description: Food carts, by their definition, are mobile units that function under the expectation that they are temporarily operating at any given site. However, one of the principle challenges that food carts face is where to relocate once they need to move, especially in the downtown and central city areas of Portland where there are fewer and fewer spaces due to increasing development. The city has the opportunity to participate in making this area of the city a more supportive environment for food carts in two possible ways, listed below.

Option 1: The City would conduct an assessment of the Downtown area, or the broader central city, to inventory underutilized public space, park space, parking lots, extra right-of-way, and hard-surfaced plazas that could be used to host a pod of food carts. The assessment would need to take into account considerations such as: lot ownership (public or private), lot size, economic viability and the ability of the site to draw foot traffic, place-making elements, access to public transit options, nearby tourist attractions, right-of-way considerations, adjacent lots and their uses, and overall safety and security. Once this inventory list is established, the City could begin designating lots in a priority ranking based on these parameters and so that when an existing food cart pod needs to be moved, it has a viable alternative location already established and the transition could happen more quickly, thus mitigating large disruptions to their businesses. This would be an effort across bureaus primarily managed and initiated by the person in the liaison position.

Option 2: Similar to the option described above, the City would first need to conduct an assessment of available lots and their viability in hosting a food cart pod (see considerations noted under Option 1) . However, instead of relying on these as relocation alternatives for future displacement, the City could take the initiative and purchase several of these lots and designate them for food cart pods. There would have to be some oversight structures, an open and transparent process for selected pod management and which food carts can be at these sites, as well as funding for the purchase and development of the site. However, this model would help solidify food cart sites and provide stability to their business model. By intentionally finding and creating pod locations, the city would be preserving an important element of Portland culture.

Quotes:

“A lot of it [lots for food cart pods] is about viability, we don’t want to set the carts up for failure. We want them to work. How long would it serve as a food cart pod, we don’t want to have to tear it up in a couple years for development.” - Prosper

“It's going to be another 15-20 years where all surface lots are redeveloped. But where are we going to allow these food carts to be?” - BPSCC

“This type of work has been challenging, especially getting that higher level support through council and bureau leadership to support the work (not the line staff, but the leaders don't see value in this type of work as they are focused on larger aspects like transportation and road maintenance).” - PBOT

“I would say the food cart culture is strong. During COVID, a lot more pods are opening up. Most of the pods that have been set up lately, they are really nice pods. But we aren't seeing that in the downtown core.” - BES

“We need a combination of bureau support, political will, and coordination (i.e. work groups).” - PBOT

Additional Recommendations for Policy Makers

1. Change the mentality of carts as temporary uses for surface parking lots.

Food carts have proven to be an integral piece of the City's ability to weather uncertain economic conditions. The City should take a more active role in their support of food carts, especially within the central city. If food carts are to continue to thrive downtown, the mentality towards food carts must switch from a temporary use in an underutilized parking lot to an integral part of future planning processes within the City that in no way limits the construction of housing.

2. Assist with vendor compliance and standardization of food cart build requirements.

While some policies are already in place for new carts entering the market, it is important to engage cart owners in the process of establishing standards, so they can provide input on what types of standards are accessible. Additionally, a plan needs to be put in place for the transition process to ensure that existing carts are not disadvantaged and have ample time, resources, and support to update their cart or acquire a new one.

3. Understand the vulnerabilities food cart owners face, and design food cart pods to promote physical safety, ease, and inclusion to proactively promote safety.

Thinking long term and proactively about crime reduction will help establish food cart pods that work well for cart owners, visitors, and the surrounding community. It is important that these measures are implemented with the goal of increasing partnerships and community connection,

rather than pushing people out. Starting from this base of cohesion and community safety will create a network where there is trust and multiple community oriented solutions to crime, rather than a reliance on police and security guards.

4. Change vending regulations to allow for more street vendors.

Evaluate current street vending regulations and enact new standards that address food carts in public spaces as a component of street vending. If the portfolio of street vending is expanded to include food carts, it will increase the ease with which food carts can operate in non-traditional areas of the built environment. This recommendation would require intergovernmental collaboration between the City and the Multnomah County Health Department.

5. Abolish non-competition rules.

The use of non-competition rules is a common practice in cities that permit food trucks to use public space to avoid complaints from brick-and-mortar businesses and restaurants. Non-competition rules establish a hierarchy where brick-and-mortar stores have first priority and assume that trucks reduce the profitability of the business. For Portland, locating food cart pods around brick-and-mortar restaurants and bars has actually created an active and engaging experience that increases the economic vitality of the neighborhood as a whole.

6. Create consistent and standardized best practices for food cart regulation. Build consensus between bureau do's and don'ts.

This list of best practices can help bureaus navigate the complex web of inter-bureau communication and inter-agency communication with the Multnomah County Health Department. This document will contain a point of contact in each bureau and it will list the bureau's best practices for food cart regulation. In a final draft form, a document of this nature can be shared both internally and externally to other outside agencies and prospective and current food cart and food cart pod owners.

7. Contract oversight to ensure food carts are not being taken advantage of and that healthy food environments are being constructed.

Designate to the City Food Cart Liaison the task of food cart contract oversight. This will ensure that property owners or property managers do not overcharge for in-demand real estate. It will also ensure long term stability for property owners and managers as food cart owners feel a better sense of stability and protection from price changes. As part of a long-term stability plan for food carts in the Central City, a critical piece is the assurance that the spaces are financially feasible for micro entrepreneurs.

8. One-year minimum lease agreements for spaces should be encouraged, rather than month to month contracts.

Encourage long-term lease agreements between property owners and food cart owners. This will ensure more stability for both parties. If property owners are allowed to continue short-term leasing practices, the likelihood of food cart displacement and unsuccessful relocation increases. To encourage long-term lease agreements, work with property owners to better understand the incentives for short-term versus long-term leases. Present a viable solution or devise policy that regulates lease agreements between food cart owners and property owners.

9. Create mixed-use developments that have designated spaces for food carts.

If a current undeveloped or underdeveloped site is occupied by any number of mobile food units, the developer should be required to design their project with ample space for on-site food carts. This specific designation allows the City to enact guidelines that protect its food cart microentrepreneurs. Breadth is important in a dense, rapidly developing area where projects are difficult to track and the bureaus' bandwidth is stretched thin. Developers should bring their design ideas for mobile food unit vendors as part of their design submission to the City Design Review Commission. ECP has developed a hypothetical model (see below) for what a mixed use development may look like with mobile food units in mind.

The model ECP developed is not in line with the zoning regulations of the City of Portland or any other jurisdiction. The model is purely conceptual and intended to give developers an idea of what it could look like. The model itself is designated as mixed but can easily apply to commercial or residential developments. It includes an open ground level component to accommodate food trucks or other units that are more mobile. This would allow for different vendors to operate on the ground floor allowing for more vendors to operate out of the development. ECP envisions a top floor that is designated for vendors who wish to operate on a long-term basis. Vendors would enter into long term lease agreements (greater than 1 year) for spaces that they can operate out of. These spaces would be part of the construction of the development. A commissary kitchen should be included for vendors to prepare food to be sold, as well as a dish room to wash customer dishes on-site and minimize waste. The choice of rooftop location for vendors to operate out of is purely aesthetic, a similar layout can easily be applied on a ground floor level.

10. Implement and evaluate pilot projects for integration of food cart pods in public space.

ECP developed a concept for mobile food unit vendors to operate near O'Bryant Square Park. O'Bryant Square is proposed for the second phase of the Culinary Corridor and provides an opportunity for the City to allow for vendors to operate in the public ROW. ECP proposes closing down SW Park Avenue between SW Oak Street & SW Washington Street and SW Harvey Milk Street between SW 9th Avenue & SW Park Avenue. ECP proposed that at least 10 vendors operate in the closed off streets. In addition to the closing of streets around O'Bryant Square, a new facility should be constructed north of SW Harvey Milk acting as a commissary kitchen for vendors. The facility can also house public restroom facilities, and eventually a dish room so

that the pod can support a reusable dish program. ECP also proposes that the current parking lot on SW Washington be updated to allow for guaranteed parking for vendors and employees.

11. Early notification of cart/pod displacement provided in multiple languages.

Pod and land owners should be required to provide 60 days notice when they are developing or selling their property. There should also be an accountability process to ensure that the eviction has been properly communicated to and understood by all food cart owners, whether that requires translation services, multiple notices, or additional forms of communication.

CONCLUSION

Limitations & Challenges

The development of this report has been the result of meaningful collaboration from Portland's public agencies, community organizations, as well as the wonderful food cart owners that shared their stories with us, however, this report is far from exhaustive. The limitations to this report fall into two categories: equity and research.

Equity Limitations:

During our engagement with food cart vendors we strived to include diverse perspectives and approach our interviews with flexibility and an understanding that food cart owners are very busy running their business. Despite our best efforts to be as inclusive as possible, there were some financial and logistical limitations to our engagement strategy that may have limited our ability to meaningfully engage with some vendors.

- **Language barriers:** Some food cart vendors have limited-English proficiency which limited our ability to engage with them as we did not have the ability to provide translation services. All of the interviews that we conducted were able to be done in English, but we would have preferred to be able to offer translation services if the vendor requested. Additionally, outreach and surveying could have reached a wider audience had we been able to produce materials in multiple languages.
- **Digital engagement limitations:** Due to the COVID-19 pandemic, we were unable to host any in-person engagement events. This created an increased barrier to accessing our engagement for people who have limited access to a computer or the internet. Almost all interviews with food cart owners were completed via the phone rather than on a computer using Zoom or similar application.
- **Compensation limitations:** While we were able to acquire enough funding to provide \$20 Fred Meyer gift cards to all the food cart owners that we interviewed, we recognize that this is not an ideal compensation method for perspective-sharing engagement. In the future, projects that look to engage food cart vendors should look to be able to financially compensate them with cash or cash-equivalent currencies. We were limited to using university supplied funding, which had limitations to how it could be distributed.

Furthermore, food cart owners work long hours throughout the day so finding times that work for them was challenging making appropriate compensation all the more important.

Research Limitations:

Our research was focused on finding examples of how other cities manage mobile food vendors and centralizing the overlapping policies that Portland agencies have for managing food carts in our context.

- **Short project timeline:** We were limited to roughly 6 weeks to complete our engagement efforts. Setting up focus groups and working groups that would be able to meet and discuss preferred practices and policy development would have been a more robust way to engage with vendors, organizations, and public agencies.
- **Cutting Edge:** Portland is already a leader in the mobile food vending industry thanks in large part to food carts and food cart pods which are an anomaly at the national level. This makes it difficult to find more progressive examples of food cart policy-making. For this reason, public agencies in Portland should be even more motivated to find innovative solutions and pilot projects to discover how it can continue to blaze the trail for activating streets with food carts.

Further Opportunities for Study

Healthy Business Permits as a template for testing carts in similar spaces

- The implementation of Healthy Business permits in order to allow restaurants to acquire sections of the right of way outside of their shops has introduced these outdoor spaces as a way to activate commercial corridors. These permits were extremely popular throughout the metro region and were easily accessible. As indoor dining and shopping return, it would be interesting for PBOT and BPS to discuss ways to continue to permit right of way encroachment in the name of activating urban streetscapes. This may even extend to businesses or restaurants working with PBOT to lease out the right-of-way space to food carts or other mobile vendors to help bring additional attractions to neighborhoods while maintaining pedestrian access.

Non-profit organizations as operators of public cart spaces

- Pods in public spaces will need to have an operator that is responsible for maintaining the permits and operations of the pod. Since the land that will be used for the pods as well as some of the infrastructure will be public property and public utilities, it would make most sense for operators to be required to be a non-profit that collaborates with the City. The profitability of a pod on public property is not clear at this point because there aren't enough examples. A case study examination of the Pioneer Courthouse Square food cart pod finances would be a helpful place to start if that information is available. The Ankeny West food cart pod will be the first large scale example of a food cart pod operating on public property.

Programs to subsidize people of color and immigrant cart start-ups

- As public agencies become more involved in the food cart industry, it is important their involvement does not push out immigrant and people of color entrepreneurs from the industry. Our case study research found that generally the more involved City and County agencies are, the more expensive it is to start a food cart. A way to reduce the impact on immigrant and people of color entrepreneurs is to set up a program that helps folks start up food carts. This program could focus on new cuisines or unique cultural street foods that folks want to bring to Portland. The program itself could focus on reducing upfront costs, or could be expansive as a non-profit that supports folks through the entire process of starting a cart from idea to first meal-served.

Ankeny West and Friends of Green Loop

Friends of Green Loop (FOGL) requested this PSU MURP Workshop to evaluate the opportunities and challenges to placing food carts in public spaces such as the right of way and in parks. While the project was ongoing, Keith Jones of FOGL was actively working on a project to revitalize the Ankeny West park with food carts - essentially doing what this project was researching. On April 29, 2021 FOGL secured funding from the Mayor's Office which proposed investing \$269,000 into the Ankeny West food cart pod. This jumpstarted the permitting process for getting Portland's first food cart pod into the public right of way. Ankeny West will act as a test case for many of the recommendations outlined in this report including how pods can serve to activate streetscapes, improve the pedestrian experience of downtown, revitalize underutilized parks and plazas, and mitigate the impact of displacement on food cart owners.

Concluding Remarks

In light of the findings outlined in this report, the ECP team urges the City of Portland to continue this discussion about how best to support food cart owners. The approval of the Ankeny West project is a promising step towards collaborative initiatives and should be used as a launching point for more relationship building. A key consideration for the City will be to actively engage the actual food cart owners in the discussion, ensuring that their perspectives and opinions are able to be expressed and valued. Additionally, there is an existing network of organizations already involved with food carts and investing time and resources into these networks will strengthen working relationships and lay the foundation for sustainable and successful food cart businesses throughout the city.

APPENDIX

List of Appendices

1. Project MOU
2. Project Work Plan & Timeline

3. 2008 Food Cartology Report
4. Community Engagement Plan
5. Other Organization Interview Template
6. Food Cart Owners Interview Template
7. City Bureau Interview Template
8. Survey Template & Responses
9. Friends of Green Loop: Ankeny West Press Release
10. Extended Sources

IMPACT STATEMENT

Legislation title: Accept report on Food Cartology 2021: Recovery in Central City (Report)

Contact name: Shannon Carney

Contact phone: 503-865-6701

Presenter name: Shannon Carney

Purpose of proposed legislation and background information:

This report, presented to Council by Friends of Green Loop and Portland State University Masters in Urban Planning students, provides an assessment of current urban planning policies and practices governing food cart operation in the City of Portland. The Ankeny West food cart pod, a public-private partnership currently underway between the City of Portland and Friends of Green Loop, is utilized as a case study. This report is an update to the original PSU Food Cartology study completed in 2008.

Financial and budgetary impacts:

Accepting this report does not create any current or future budgetary impacts.

Community impacts and community involvement:

The report analyzes the Ankeny West food cart pod as a case study. This project has been a focal point for community involvement from Friends of Green Loop, the Portland Business Alliance, and food cart owners for several years.

Presenters include:

- Keith Jones, Executive Director of Friends of Green Loop
- Nora Stoelting, PSU MUP
- Laura Shumway, PSU MUP

100% Renewable Goal:

If applicable, discuss how this action contributes to the City's goal of meeting 100 percent of community-wide energy needs with renewable energy by 2050.

- Does this action increase or decrease the City's total energy use?
- Does this action increase or decrease the City's renewable energy use?

Budgetary Impact Worksheet

Does this action change appropriations?

YES: Please complete the information below.

NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Impact Statement for Requested Council Action
